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CARIBALDI vs. GRILLO

Opinion of the Superior Court Denying Petition for an Injunction.

Frank Garibaldi, et al, plaintiffs., vs. August Grillo, et al, defendants.

This is an application by plaintiffs, after trial but before the entry of judgment, for an injunction to restrain defendants from working certain placer ground and extracting gold bearinggravel therefrom. The motion is presented upon affidavits.

The complaint is in the ordinary form in an action to quiet title and prays for a decree adjudging plaintiffs' to be the owners of the property; that defendants have no interest therein and that they be debarred from assertiug any claim thereto. Defendants by their answer deny plaintiffs' ownership and by a cross complaint allege title in themselves; that plaintiffs claim an interest and that such claim of interest is without right and pray for judgment accordingly.

This action went to trial upon the merits, and was submitted to the court for decision, and upon Sept. 16, 1909, this court rendered its opinion that both plaintiffs and defendants had failed to connect with the paramount title of United States in the mining ground and that neither was entitled to any relief in the action. No express direction was given to either side to prepare findings in the case, and the decision having been adverse to both parties, no action was taken by either toward the preparation of findings or the entry of a stipulation waiving the same.

In this condition of the case plaintiffs presented an affidavit alleging "that defendants are in possession of the twenty acres of mining property in dispute; are actively engaged in moving the gold bearing gravel from beneath the surface thereof and converting the same to their use; that unless restrained by the court they will entirely work out the body of pay gravel in said claim and render the claim valueless to plaintiffs or greatly reduce it in value in case they finally prevail in the action; that there will be delay in entering judgment in the action and that it is the purpose of plaintiffs in good faith to prosecute this action to a final determination to the highest court having jurisdiction of the same."

After the filing of this application for an injunction the judge of this court prepared and filed findings in this case, but entry of judgment thereon was stayed by this court, in order that plaintiffs' motion for an injunction should not be prejudiced.

Defendants vigorously assail the power of the trial court to grant an injunction to the defeated party after trial and before the entry of judgment, but I am inclined to the opinion that upon the showing made that were any considerable time to elapse before the entry of the judgment herein, this court should grant the injunction.

Our code of civil procedure Sec. 527, provides that an injunction may be granted at any time before judgment, and so far as temporary injunctions are concerned it makes no distinction between applications made by plaintiffs or defendants.

In Congee v. Barton, 62 Cal. page 5, it was held that a trial court had the power to change its conclusions of law upon the findings at any time before entry of judgment, and that no judgment was final until the same was recorded. Within the purview of this decision there can be no defeated party until the entry of judgment. Now it would be an anomalous condition in the law which allows a party to an action to apply for an injunction before judgment, to deny him relief because the judge had merely announced in his opinion that he had failed to make out a case. We know the judges frequently do change their opinions. The judge may have rendered an opinion that a party to an action is entitled to judgment and before the entry of judgment or filing of findings he may have grave doubts as to correctness of his opinion. Certainly it can not be said that while thus considering the case it is within the power of such party to commit irreparable injury to the property, unrestrained by any action of the court.

While it is alleged in plaintiffs' affidavit that there will be delay in the entry of judgment in this case, the records of the court disclose that a judgment may be entered immediately, after the order staying entry thereof is vacated, in fact the entry can be made in less time that it would take plaintiffs to prepare an order for an injunction and the necessary undertaking.

It appearing that the code vests jurisdiction in the trial court to grant an injunction before the entry of judgment, and that no provision is made to grant an injunction after such entry, and it further appearing that the entry of judgment can be made in this action synchronous with the rendition of this opinion, the question now presenst whether an injunction granted by this court to the plaintiffs in this action who are about to have judgment entered against them can have any operative force after the entry of said judgment? If it can, the injunction should probably issue; if it cannot then an order for the injunction would be an idle act, for the injunction if granted would be dissolved immediately by the entry of judgment.

As to the duration of an injunction pendente lite the rule is stated as follows, in the Encyclopedia of Pleading and Practice vol. 10 page 1029:

"A preliminary injunction is abrogated by the final decree and "any restraint thereafter desired should be inserted in the final decree."

Of course the court cannot impose any restrain in its final decree in this action because it has determined that plaintiffs are not the owners and are not entitled to any relief.

In Gardner vs. Gardner, 87 New York page 15, a preliminary injunction has been granted on behalf of plaintiff. She prevailed in the action but in the final decree no mention was made of the injunction, and the New York court of appeals in discussing the effect of preliminary injunctions there said "There can be no question" that the injunction was abrogated by the judgment if no "appeal had been taken, and the bringing up of such appeal cannot change its legal effect upon any sound principle."

"In Prennan vs. Gaston, 17 Cal. 372, plaintiff had brought his action to recover damages for trespasses upon a mining claim and also to perpetually enjoin defendants from future trespass. The verdict went for the defendants and judgment was rendered in their favor for costs. Thereupon defendants moved for an amendment of the judgment by adding a recital "that the injunction be and is hereby dissolved." From the refusal of the trial judge to so amend, defendants appealed, and the supreme court of this state said: "The plaintiffs so far have failed to show that they have any cause of action against the defendants; and failed in their action, after trial cannot claim to rest in an injunction which was merely ancillary to that acion, and a portion of the remedy for its successful prosecution."

In Harris vs McGregor, 29 Cal. 125, which was an action to recover damages and for a perpetual injunction to prevent diversion of certain waters by defendant a preliminary injunction was granted plaintiff. At the trial the court granted, a nonsuit, and an order was made dissolving the injunction. As to this procedure the supreme court said at page 129:

"In view of the judgment of nonsuit, the order dissolving the injunction was proper; the latter followed the form as a matter of course. Upon the return of the case to the court below, the plaintiff will be entitled to a renewal of the injunction upon a proper application."

Lambert vs. Haskell, 80 Cal., page 61, was an action involving the liabilities of sureties upon an undertaking given to procure a preliminary injunction. In discussing the law of preliminary injunction in order to determining such liability of the sureties it was said at page 621:

"How long then does the preliminary injunction last? We think that the whole theory of a preliminary injunction is that it is to preserve the rights of the party until the truth of the charge can be regularly investigated. It is called by the code a provisional remedy, when the truth of the charge has been investigated and a final decree made, there is no longer any necessity for a preliminary injunction. It has served its purpose, and its functions cease.

And at page 622 it is said:

"The proposition we have endeavored to state was recently expressed by the court of appeals of New York, inreasoning to a different point as follows: An injunction by order is a provisional remedy and temporary in its character. It assumes a pending litigation, in which all questions are to be settled by a judgment, and operates "only until the judgment is rendered. If by that a permanent injunction is granted the temporary one of course ended and equally so if a permanent one is denied.

Jackson vs. Bunnell 113 N. Y. 220.

Counsel for plaintiff have failed in their exhaustve brief to cite, nor have I been able in my investigation to find a single case in which a trial court has continued in force a preliminary injunction for the benefit of a defeated party on appeal.

The case of Finlen vs. Heinze, 69 Pac. Rep. 829, so strongly relied upon by plaintiffs' appears to have been an original application for an injunction made to the supreme court of Montane. What was there said may be persuasive before our appellate court, but no intimation was there made that it was the duty of the trial court to grant the injunction but on the contrary that court was criticised for attempting to retain any jurisdiction over the case, but whether the appellate court has jurisdiction to grant plaintiffs an injunction pending the appeal which power seems to be repudiated in Hicks vs. Michael. 15 Cal. page 151 in no wise adds to the power of this court.

Counsel for plaintiffs assume that they are entitled to an injunction as a matter of equity, because of their assertion that upon a new trial they will be able to supply the evidence to show a valid discovery, but assuming this to be true it by no means follows, that they will be entitled to a judgment, as defendants assert title under two different sources, one by purchase for a valuable consideration, the other by adverse possession; they failed at the trial to make a complete chain of title upon each ground but it is not impossible or improbable that if a new trial is had they may supply the missing link in one or both chains. Plaintiffs' claim is subsequent to both of the defendants, and complete proof by defendants under either would be fatal to plaintiffs' claim.

In passing it might be suggested that a serious question as to practice would have been presented here as to the power of the corut to have continued, a preliminary injunction in its final decree even if plaintiff had prevailed in the action, as no injunction was prayed for in the complaint, nor does it contain any allegations showing waste or irreparable injury.

I am of the opinion that upon the record in this case as now presented, and the statutes and decisions of the supreme court, that any injunction now granted would be vacated by the entry of judgment and it appearing that such entry of judgment is stayed for the express purpose of permitting plaintiffs to present their showing upon this motion, and for no other purpose, the motion for an injunction will be denied, the order to show cause discharged, the order staying entry of judgment vacated, and the clerk directed to forthwith make entry of judgment herein.

Dated Nov. 8th 1909.

Fred V. Wood, Judge.

Kills Her Foe of 20 Years.

"The most merciless enemy I had for 20 years," declares Mrs James Duncan, of Haynesville Me., "was dyspepsia,. I suffered intensely after eating or drinking and could scarcely sleep. After many remedies had failed and several doctors gave me up, I tried Electric Bitters, which cured me completely. Now I can eat anything. I am 70 years old and am overjoyed to get my health and strength back again." For indigestion, loss of appetite, kidney trouble, lame back, female complaints, it is unequaled. Only 50 c at Spagnoli's Drug Store.

Acknowledgment blanks for notaries, specially printed for Amador county, may be had at the Ledger office. Price 50c per packet of 50.

The RED FRONT
JACKSON'S ONE-PRICE STORE.

Our stock is complete for our winter season, with the best line of choice Fall Goods to meet the people's demand' superior in quality and inferior in price. Such offers have never been presented in Jackson before. Come in and be convinced that the Red Front stands for good goods of the highest standard and at the lowest prices.

Dress Goods

All ouo wool dress goods in Panama Serges, Alpaca and Etamine Cloth, most desirable shades for Fall wear, regular 75c and 65c yard, will close out at 50c

Blankets and Comforters.

We have on hand 100 pair of sample blankets, no two alike. They stand for satisfaction and economy, the qualities being of the highest standard. Prices range from $2 up to $6. Pure White cotton filled comforters, quilted silk lined and sateen covered. Prices range from $1.25 to $3.50.

Clothing.

Our assortment this Fall is so complete, so attractive, and so varied that you will readily admit, upon a visit to our clothing department, that we are the outfitters for men in Jackson. Our prices in every instance are based on best values. We invite comparison at all times. Men's Navy Blue Serge Suits, the very latest styles, fit guaranteed, from $12 50 to $20.

Hats.

On account of the wide array of styles and the completeness of our stock, the Red Front is best equipped to meet all the demands. Not only have we a large display of new Fall styles, but what is of more importance to the average man the display of popular priced hats is extensive.

Shoes.

We are the exclusive Agents for the celebrated United Workingmen's shoes, the name speaks for itself. Every detail in the making of those workingmen's shoes is perfect. Come in Black and Tan, high and low cut. Perfect satisfaction guaranteed, these shoes are the best that money can buy and it is up to you to realize that when you buy a pair of these shoes you are getting an honest exchange for your money.

Our stock of Ladies and Children's shoes in Vic Kid, patent cloth and gun metal is most complete and stylish. We also carry a full line of Children's Skuppers in Black and Tan.

Satisfaction Guaranteed or Money Refunded.
THE RED FRONT
Jackson's Cheapest Dry Goods Store.

MINING NOTES.

Kennedy.—The underground miners returned to work Monday morning after three or four days' lay-off on account of shaft repairing. It is believed that the work of shaft repairing will not require the suspension of underground work again for some time.

Refused a Marriage License.

William Lee and his lady love Miss Sadie Leon applied to the county clerk's office last Monday for a marriage license, and met with an unexpected disappointment in the blighting of their matrimonial aspirations. In accordance with a law of recent date they were refused a license, on the ground that one of the applicants was a Mongolian, and the law forbids the marriage alliance of a Mongolian and Caucasian. It appeared that the intended groom was born in Drytown of Chinese parents, and is 22 years of age. The would-be bride is 18 years old, and also a native of California, born in El Dorado county, her father being of Spanish and mother of Irish ancestry. The peculiarity of the situation is that Lee being a native born American citizen is entitled to vote, providing of course he can pass the educational tests. But he can't get married, except to an Asiatic.

Father Kearney Leaves For Mariposa.

Father Kearney, who has been an officiating Catholic priest in this city, assisting Rev. Father Gleason for the past three years, gave his farewell address to his congregation here last Sunday. Tuesday morning he left for Mariposa county, where he will have charge of all the Catholic parishes in that county. The reverend gentlemen will be missed, as he was greatly liked by his parishoners. Another priest will be sent to take his place here, but who will be selected is not known at present.

Marriage License.

A marriage license was issued Wednesday to Frank Sciaroni, aged 24, native of Cailfornia and Hilda Dabb, aged 21, native of England, and residing at Sutter Creek.

Woman's Exchange.

The Ladies' Aid Society of the Methodist Church will have a window at Bierce's shoe store on Saturday afternoon, and will have for sale cakes and other delicacies, and will be in charge of Mrs Williams and Mrs Mounter.

How to Treat a Sprain.

Sprains, swellings and lameness are promptly relieved by Chamberlain's liniment. This liniment reduces inflammation and soreness so that a sprain may be cured in about one-third the time required by the usual treatment. 25 and 50 cent sizes for sale by Jackson Drug Store, Spagnoli Prop.

News of a Former Resident of Plymouth.

Mrs Hulda H. B. Brown, for several years a resident of Plymouth but now living in San Francisco, and who is first vice-president of National Society of Colonial Dames in California, and also regent of California Chapter Daughters of the American Revolution, informs us that T. J. Schoonover, a former resident of the vicinity of Plymouth, and well known througout Amador county and California as the author of a biographical sketch of "John A. Sutter and His Times," which he subsequently revised and enlarged, and which was spoken of very highly by the press as a valuable work on the early history of the state, is now living in Massachusetts. After disposing of his ranch near Plymouth to W. F. Detert, he departed for the east, and married a rich widow at Blackstone, Mass., where they are now living in a fine mansion, the property of his wife. We are pleased to note this change of fortune in favor of a former citizen of this county.

DeWitt's Kidney and Bladder Pills are unequaled in cases of weak back, back ache, inflammation of the bladder, rheumatic pains, and all urinary disorders They are antiseptic and act promptly. Every case of kidney or bladder trouble should be attended to at once, and the aches in the back, rheumatic pains, urinary disorders, etc., are warning signs. Don't delay, for delays are dangerous. Get DeWitt's Kidney and Bladder Pills. Regular size 50c. Sold by City Pharmacy, F. W. Ruhser.

Obituary.

Mrs Elizabeth Flaherty, who passed away at the home of her daughter, Mrs J. R. Huberty on the 2d instant, was buried on Friday in the Catholic cemetery, according to the rites of the Catholic church. Deceased was born in Ireland June 23, 1837, and emigrated to America in the early fifties. Lived in New York city for ten years, where she was married in September, 1868, and in October of the same year came with her husband to California, and has lived here ever since. Besides a sorrowing husband, she leaves three children—two sons, James and Thomas, and one daughter, Mrs J. R. Huberty, all living in Jackson. One son John J. Flaherty, died about four years ago.

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AMADOR LEDGER

Published every Friday Afternoon

RICHARD WEBB.....Editor and Proprietor

FRIDAY.....NOVEMBER 12, 1909

Editorial Column.

BREAKING THE SOLID SOUTH.

President Taft, like several of his predecessors in the White House, indulges the hope of breaking up the political solidarity of the Southern states. The efforts toward this end have so far proved without result, and it is probable that the attempts under the present administration will be equally unsatisfactory. As far as the tariff issue is concerned the South is gradually drawing nearer to the republican doctrine of protection. They may be wedded to the theory of free trade, but when it comes to an appeal to their business sense, they are governed by self-interest, rather then abstract theory. This fact is clearly brought out whenever tariff duties are under discussion in congress. Southern members are as anxious to have the industries and products of their respective constituencies brought under the protective wings of a high tariff as the republican congressmen from the North or West. The South has experienced the benefits of protection under republican administrations. It has built up their cities, infused life into every branch of business—in fact created industries that would not have been possible under the free trade policy of democracy. The intelligent classes of the South cannot close their eyes to these things; neither can they explain them on any other hypothesis than the beneficent effect of the republican doctrine of a protective tariff. But the race issue is the paramount one in the South. In the states of the North, Middle West and Pacific Coast the democratic party is rapidly disappearing. It is little better than the ghost of its former self, simply because the policies for which it stood, and which clamored for supremacy under the administration of Cleveland, have been discredited by the march of events—the unparalleled prosperity of the Union under the nursing of a protective tariff. But the white and black races in the South are as wide apart politically as ever. They cannot fraternize on political matters. The whites, though inferior in numerical strength, cannot submit to the possibility of being dominated by the colored voters. The enfranchisement of the negroes has sharply divided the people of the South. It is hoped that by dividing the whites politically, the solidity of the blacks as supporters of the republican party might also be broken up. The problem is the most difficult one that has faced the nation since the days of the civil war. Its solution is as perplexing to-day as it ever was.

The board of supervisors of Calaveras county at their last meeting passed an ordinance changing the retail liquor business in several important respects. A petition has been before that body for some time embodying the principle of local option. The ordinance providing for the licensing of saloons has been changed to comply with this request. The question of license or no license will be submitted to the voters at the next general election, and no license to sell intoxicating drinks will be issued thereafter unless the voters of the district concerned have cast a majority vote in favor of license. The rate of license remains the same—$20 per quarter. As the settlement of the license question was the main object of organizing the supervisors of the three counties of Amador, Calaveras and Tuolumne, we presume there will be nothing more done in the joint convention business.

The indications point to increased activity in mining in Amador county. Scarcely a day passes but what outside capitalists, either personally or by representatives, are looking into some proposition for investment in mining property on the mother lode. The revival of interest embraces the whole length of the lode, from the Cosumnes on the north to the Mokelumne river on the south. Two causes are contributing to this activity. First, the general prosperity of the mines now in operation, with the prospect of increased output in the future, together with the permanent character of the gold ledges. And secondly, the waning interest and consequent withdrawal of capital from the Nevada camps. Capitalists are beginning to realize that the main mineral belt of Amador county is a more inviting field for investment than the short-lived much-boomed camps of the deserts.

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The Kind You Have Always Bought, and which has been in use for over 30 years, has borne the signature of Chas. H. Fletcher and has been made under his personal supervision since its infancy. Allow no one to deceive you in this. All Counterfeits, Imitations and "Just-as-good" are but Experiments that trifle with and endanger the health of Infants and Children—Experience against Experiment.

What is CASTORIA

Castoria is a harmless substitute for Castor Oil, Paregoric, Drops and Soothing Syrups. It is Pleasant. It contains neither Opium, Morphine nor other Narcotic substance. Its age is its guarantee. It destroys Worms and allays Feverishness. It cures Diarrhœa and Wind Colic. It relieves Teething Troubles, cures Constipation and Flatulency. It assimilates the Food, regulates the Stomach and Bowels, giving healthy and natural sleep. The Children's Panacea—The Mother's Friend.

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GLOBE SIGHTS

Is anyone really important?

Don't be crazy to do a lot of things you can't do.

Nearly anything a man gets in winter is called a grip.

In trying to be "independent." many people are impolite.

It is never complimentary to a man if people "tease" him.

Every business place is annoyed by some particular loafer.

You call this a free country, but you can't say all you think.

In this day if it's worth a struggle, you will have to struggle for it.

When a man does not believe in an idea, he refers to it as a menace.

A politician's idea of the original sin is for a man to forget to register.

It is less to your credit to be ready to fight than to be ready to work.

The city is always in the situation of a poor man with very extravagant tastes.

A bad graphophone is about the worst bad thing we know anything about.

The trouble with cute children is they soon outgrow it, and become impudent.

With most of your friends you treasure up things they do or say that offend you.

How good a yawn tastes at about 10 o'clock in the evening, just before going to bed!

Most people can find something to quarrel about without going ninety degrees north.

The day of a big reception is another time when no man wishes he were a woman.

We have noticed that there is a little quinine in most medicines, to give a serious taste.

To a man who does his business by means of checks, a $20 bill looks like a lot of money.

Talk to any man five minutes, and he will tell you how much better business was last year.

How we do love to entertain a visitor who thinks our buildings are the tallest in the world!

Your working hours have been reduced to eight. Then for heaven's sake, work eight hours.

A married man has the same dread of a dry goods store that a farmer has of a lightning rod agent.

Some men's way of flattering themselves is to exaggerate the cleverness of those who cheat them.

No man is quite as bad as his enemies believe, and no man is quite as good as his friends believe.

"This," said a young wife to her husband, "is not pie like your mother used to make; it is better."

Nature knows what it is about: it is the little girls, and not the little boys, who want to hold the baby.

If a man can lay off at any time, the temptation to lay off too much is greater than most men can resist.

Hospitality which drives to gluttony is about as bad as this treating habit you hear condemned so freely.

A newspaper man, sooner than anyone else, learns what a little thing it takes to upset a lifetime friendship.

When a woman with money gets married to a poor man, how the women applaud her for holding on to it!

It is perhaps just as well that a man is a long time learning he won't do any better to-morrow than he did to-day.

After a man has been married awhile, he does hate to walk down street with his wife hanging on his arm.

We have our faults, but we can say this to our credit: we have laid claim to being heir to a large estate in the east.

The approach of Christmas excites a storekeeper as much as the approach of an election excites a politician.

A boy's parents may expect him to become president, but the boy personally prefers to make the National league.

There is no need for a lot of men going around preaching temperance: whisky preaches its own temperance lecture.

When a girl is old enough to wear a big hat, and a great big lot of false hair, she is too old to wear short dresses.

We struck a wise man to-day. He said: "I never bother myself about my neighbor's politics, religion or business."

A man cannot think to observe the regular rules of health, but he can usually think to take his patent medicines regularly.

"How are you? a reporter asked a man to-day. "I am taking seven different kinds of medicine," the man replied; "that's how I am."

If the present idea of "American reform" continues to prosper, the thieves will file charges against the sheriffs, and cause their arrest.

There is nothing in the theory that married men are always willing to flirt; nearly all married men are afraid their wives will hear of it.

As soon as a man becomes so depraved that he is willing to live by politics, he should be arrested, and put in some kind of a reformatory.

A Scalded Boy's Shrieks.

horrified his grandmother, Mrs Maria Taylor, of Nebo, Ky., who writes that when all thought he would die, Bucken's Arnica Salve wholly cured him. Infallible for burns, scalds, cuts, corns, wounds, bruises, cures fever-sores boils, skin eruptions, chilblains, chapped hands. Soon routs Piles. 25c at Spagnoli Drug Store.

OFFICIAL MAP
—OF—
Amador County

veys by D. C. CARLTON, showing township and school district boundaries, ownership of all lands according to assessment roll of 1904, mineral claims, canals, location of all schoolhouses; also a townsite map of principal towns, namely Jackson, Sutter Creek, Ione, Amador City, Drytown, Plymouth and Volcano.

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DISTRIBUTING AGENTS FOR J. F. Martell Cognac, Moet & Chaudon, White Seal and Private Cuvee Champagne; Morgan Bros. Puerto de Santa Maria Sherries; Royal Wine Company, Oporto, Port Wines; Dubos Freres, Bordeaux, Clarets and Sauternes; CANADIAN CLUB WHISKY, Hiram Walker & Sons, Limited, Walkerville, Ontario, Canada; John de Kuyper & Zoon, Cotterdam, Gin; Gilka Kuemmel, from J. A. Gilka, Berlin; Bartbloomay Brewery Company, Rochester, N. Y., Knickerbocker Beer; Dogshead Brand of Guinness, Stout and Bass' Ale (bottled by Read Bros., London); Cantrell & Cochrane, Belfast, Ginger Ale; Naglee Brandy; Reimported American Whiskies.

J. A. Vanderpool
THE HARNESS MAN
Plymouth, Cal.
Has on hand a full line of Harness and Hardess Fixtures, Saddles, Bridles and Robes. Buggies an.. Carriage tops made to order.
Also has on hand a line of that well known and thoroughly tried BAKER & HAMILTON buggies.

From Our Exchanges.

Activity at the Old Bay State Mine.

On Saturday, November 6th, Cavigan Isbell & Co., investment brokers of New York, will leave that city in a private car with a party of mining investors for Sacramento, where they will take automobiles for the old Bay State quartz mine, which is situated in Amador county near the dividing line between that county and El Dorado, and about fourteen miles due south of Placerville. It is expected that the members of this party will invest heavily in the stock of the Amador Gold Mining Company, which owns the Bay State property, and as a result the capacity of the mill and other machinery at the mine will be greatly increased. The Bay State has long been recognized as one of the best mining properties in the western belt of Amador and El Dorado counties, but a lack of capital to properly work it has kept the mine from being listed among the big producers. The Bay State is only a short distance southeast of Nashville, in this county, and there is an abundance of water power available on the, Cosumnes river near by, while weather and other governing conditions are equal for continuous operation of the mine. It will be good news to residents of that section to know that men of means are to become interested in the Bay State, because capital is all that has been needed to make this one of the leading producers among the mines of the state. We also congratulate the Amador Gold Mining Company on the fact that Gavigan Isbell & Co. have become interested in their property, because they are in a position to assist in its development very materially, and the development of one good mine like the Bay State will be of untold benefit to this entire section.—Nugget.

Young Girls are Victims.

of headaches, as well as older women, but all get quick relief and prompt cure from Dr. King's New Life Pills, the world's best remedy for sick and nervous headaches. They make pure blood, and strong nerves and build up your health. Try them. 25c at Spagnoli's Drug Store.

SILURIAN FARMING.

Why the Resources of this County are not More Fully Developed.

It is a mystery to many people why El Dorado county is so far behind some other counties in agriculture and horticulture development. This was among the first counties in the state to be settled with what might be termed a permanent population. True the coast counties had been occupied by church missionaries a century before gold was discovered in El Dorado and the great rush set in, but the civilized occupation and government of California practically dates from the time of the Mexican war and the discovery of gold following. But that is history. Recently a lady writer for the Sunset magazine visited this county to gather material for an article on this section. She visited Pilot Hill during her swing around the circle, and near that place stopped to watch a "farmer" who was at work in his field. He was riding an old dilapidated grain seeder, with which he was attempting to dry seed a piece of land which had not been plowed for three years, but has been "volunteered" during that time. The lady, who is familiar with real farming, as practiced where it is made a success, asked: "What on earth is that man trying to do?" She was told that he was "putting in his crop." "Well, if that is the way they farm in El Dorado county, I can understand why it is you need a few settlers with ambition and a little intelligence. That man should be sent to the home for the feeble-minded." And she was not far wrong in her opinion, either.—Nugget.

Largest Grapevine.

The largest grapevine in the world flourishes at San Gabriel, Cal. It was planted by the San Franciscan friars and is 120 years old. The stalk is 1½ feet in diameter and 8 feet high, and the branches and folliage cover 5000 square feet. Last year it produced 2½ tons of grapes.

Impure blood runs you down—makes you an easy victim for organic diseases. Burdock Blood Bitters purifies the blood—cures the cause—builds you up.

Extensive Mining in Alpine

The Carson News reports considerable mining activity in Alpine county just east of Calaveras. The Hercules Consolidated mine is being unwatered, the lower levels of which property contain splendid ore bodies. E. J. Brown, a Reno mining man, says that he cannot believe that Dame Nature has erected such a magnificent mineral monument in that section of the country for the purpose of deluding the poor prospector, but that hidden away from the surface indications is a storehouse of the precious minerals that will ere long be brought to development and mark another bonanza for that section of the country. Already two splendid electric power plants on the headwaters of the Carson river are in evidence and the hum of the motors and glare of the electric lights make things look like business, added to the alluring surface prospects of the country promise much in the near future.

Mining Men at Law.

The case of Joseph E. Kind against John J. Hickey and Charles Lamb has been transferred from Calaveras county to Stockton. King, who is a Mokelumne Hill mining man, is suing for $900 said to be due him as a half payment on a sale of a mine option.

According to the complaint, Hickey and Lamb, who are prominent mining men residing in this county, bought from the plaintiff in the suit an option that he held on the Reed Drift gravel mine of the Central Hill district. The option was transferred with the understanding that the purchasing price should be $1800, five per cent of the option price on the mine, $36,000. The money was to be paid in two installments, one when the first purchase price was paid and the other if the claim had not been abandoned by September 29, 1909. The first payment was made, but the complaint states that although the claim has not been abandoned the defendants have not paid the last installments. Attorneys Snyder & Snyder of San Andreas represent the plaintiff and Attorney A. L. Levinsky the defendants.—Independent.

WHEN HER BACK ACHES

A Woman Finds All Her Energy and Ambition Slipping Away.

Jackson women know how the aches and pains that come when the kidneys fail make life a burden. Backache, hip pain, headaches, dizzy spells, distressing urinary troubles, all tell of sick kidneys and warn you of the stealthy approach of diabetes, dropsy and Bright's disease. Doan's Kidney Pills permanently cure all these disorders.

Can Jackson sufferers desire stronger proof than this woman's words?

Mrs B. Boden, of Newmansville Jackson, Calif., says: "Doan's Kidney Pills have been used in my family with the most satisfactory results. My brother first advised me to try them while suffering severely from kidney trouble. I had severe pains in my back for a long time and finally became so run down in health that I could hardly get around. The kidney secretions were very irregular in passage and gave me great annoyance. I was also subject to headaches and dizzy spells. At last Doans's Kidney Pills were brought to my attention and I procured a box at the City Pharmacy. They helped me from the first and I continued taking them until a complete cure was effected."

For sale by all dealers. Price 50 cents. Foster-Milburn Co., Buffalo, New York, sole agents for the United States.

Remember the name—Doan's—and take no other

Hay-Eating Animals.

The hay consumed by different animals does not vary greatly from 3 pounds daily for each 100-pound weight of the animals. The following table is the result of various experiments by different persons, and will be useful to farmers who wish to determine by calculation beforehand how their hay will hold out for the winter: Working horses, 3.08 pounds; milch cows, 2.40 pounds; young growing cattle, 3.08 pounds; steers, 2.84 pounds; dry cows, 2.42 pounds; sheep, 3 pounds All the articles enumerated in this food table are estimated as of good quality. If the fodder be of poor quality, more must be allowed.

Children Cry
FOR FLETCHER'S
CASTORIA



College of Notre Dame
MARYSVILLE, CALIFORNIA

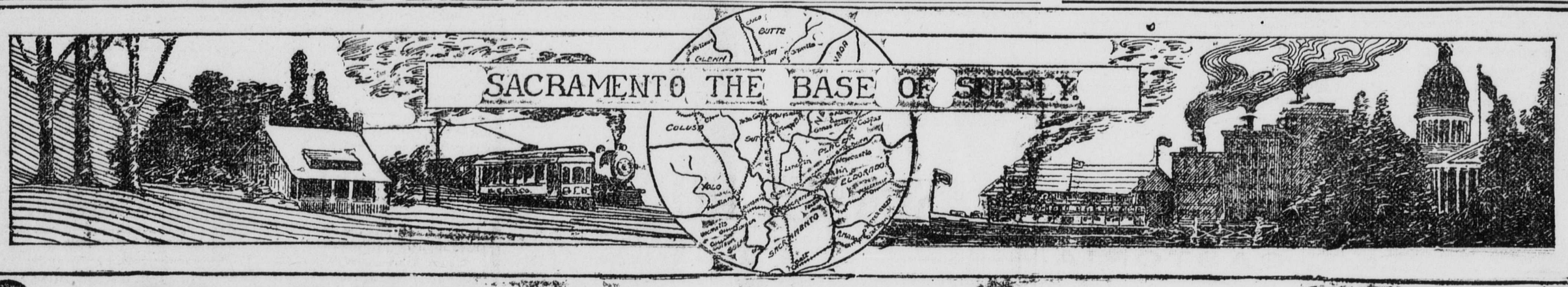
Boarding and day school conducted by the Sisters of Notre Dame(Namur). Founded in 1856.

The curiculum embraces all the branches of a solid English education. Preparatory and advanced courses in art, language, and music

For further information address
m14 SISTER SUPERIOR

L. OETTINGER S. N. KNIGHT
KNIGHT & CO.
Foundry and Machine Shop
Sutter Creek, Cal.

BUILDERS OF WATER WHEELS OF latest and most approved patterns, and all kinds of sheet iron pipe. Every description of mining and milling machinery made at the shortest notice. We desire to call the attention of blacksmiths and other workers in iron to the fact that we keep constantly on hand a large and complete stock of bar, refined and Norway iron, gas pipe, gas fittings, etc., which we will sell at the LOWEST CASH PRICES.



SACRAMENTO BUSINESS GUIDE.

WHEN going to Sacramento take this GUIDE with you. It contains the advertisements of leading Sacramento Business Houses, Banks and Professional Men. You need have no hesitation about doing business with any of these advertisers. They are all absolutely reliable and trustworthy and will treat you with courtesy and fairness. If you cannot visit Sacramento, any or all of them will be glad to answer your letters, send you catalogues and samples, and, in fact, accommodate you in any way. **Send your Mail Orders to Sacramento,** the leading mail order city in California.

Walsh-Richardson Co.
"Everything in Leather"
Send for Catalogue "B"
HARNESS, SADDLERY, SUIT CASES, BAGS, TRUNKS
TRAVELING GOODS, LEATHER NOVELTIES
428-430 K Street, Corner Fifth SACRAMENTO, CAL.


You can save money by going to
JACOX BROTHERS
929 K Street SACRAMENTO
For New and Second-Hand
Furniture and Carpets

Buy Direct at Producers' Prices

When in Sacramento visit the Ostrich Farm—See the Birds and our Display Rooms. Send for Free Catalogue.
Take 10th Street Cars

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ARCHITECT
Architect of Hotel Sacramento and ex-State Architect
Phone Main 408 1005 K Street

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BUILDING CONSTRUCTION
EXPERIENCE ABILITY RESULTS
SEND FOR US
CROCKER BUILDING San Francisco
SACRAMENTO HOTEL Sacramento

The Best Sausages in the World
ARE MADE BY
MOHR & YOERK
1024-26 J Street
SACRAMENTO, CAL.

Gas and Electrical Fixtures. Steam and Hot Water Heating. Mantles and Tiles.
Let Us Quote You Prices
SCOTT, LYMAN & STACK
Plumbing and Electrical Contractors
All Are Invited 419-421 J Street

The Specialty House for Women and Children
NOT CHANCE OR LUCK—
But garments of distinctive character and merit that have won for *Kaufman's* a reputation for retailing *Women's and Children's High-Class Apparel* at remarkably low prices.
Your Friends Will Tell You.
Leaders in Fashions — Kaufman's — *Leaders in Quality*
7th and K Streets
SACRAMENTO, CAL.

CHINN BERETTA OPTICAL COMPANY
526 K Street, Sacramento, Cal.
Send us your Repairs. They will be returned by next mail

The Fort Sutter National Bank
OF SACRAMENTO, CALIFORNIA

Capital	$200,000.00
Shareholders' Liability	200,000.00
Surplus and Profits	30,000.00
Total	$430,000.00

A National Bank with a Savings Dept. pays 3½ per cent

Cafeteria Sacramento
H. L. NELSON, MANAGER
The Modern Way to Eat :: :: A Clean Place to Eat
An Inexpensive Place to Eat
1011-13 K Street Pure Crystal
Opp. Hotel Sacramento Filtered Water

Dr. Wm. Ellery Briggs
Dr. Geo. A. Briggs
Eye, Ear, Nose, Throat
Hours: 9 to 12 A. M. 1:30 to 4 P. M.
1005 K Street

COLLECTION AGENCY
A. J. MADSEN, COLLECTOR
All branches of Collections promptly attended to. Special facilities for handling Railroad and Country Collections.
614 Eye Street Sacramento

Suits made to Order. Feathers Cleaned.
Phone Main 3174
THE CECIL
Expert Cleaning and Pressing of Ladies' and Gents' Garments. . .
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E. J. Keplan
Proprietors
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THE F. THOMAS
PARISIAN CLEANING AND DYE WORKS
R. C. KEENE, Mgr.
1217 J Street Phone Main 2589 J

Phone Main 2533 R
Dr. J. D. Powell
Dentist
501 K Street Sacramento, Cal.

Give Your Boy the Best by Sending Him to
Christian Brothers' College
SACRAMENTO, CAL.
The only college for boys in Northern California. Boarding and day school. Literary, Classical, Scientific and Commercial Courses. Complete Gymnasium in connection with the College.
BROTHER V. LEO, PRESIDENT

WHITE ROSE WHEAT FLAKES
FOR BREAKFAST
FREE DISH IN EACH PACKAGE. ALSO COUPON FOR FREE 100-PIECE DINNER SET
AT YOUR GROCER'S

ASK US! PHONE MAIN 898
Sutter Engraving Co.
INCORPORATED
ARTISTS ENGRAVERS
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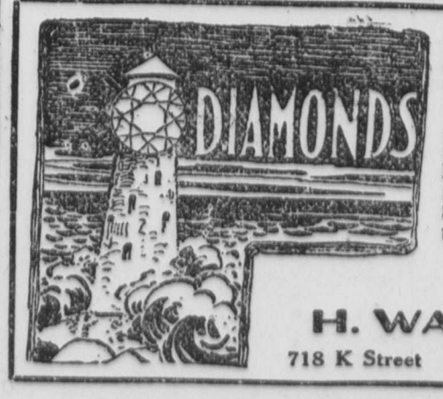
Good Clothes for Men
CASH OR CREDIT
EASTERN OUTFITTING CO.
924 J Street On the Square

DR. JAMES M. McCURRY
THE ALVEOLAR DENTIST
522 K STREET SACRAMENTO, CAL.
I CAN SAVE YOUR LOOSE TEETH, AND CAN MAKE THE ALVEOLAR TEETH EQUAL TO ANY OTHERS, AND SAVE YOU MONEY. SEE ME BEFORE YOU HAVE ANY DENTAL WORK DONE.


Where to Bank
Seek a bank where convenience, accommodation, safety, and profit are assured you, where every consideration for your comfort is anticipated and supplied, and where you may transact your business, meet your friends, or store your valuables in our safe deposit vaults.
We have been in business for over forty years. The result of our experience is yours for the asking. Accounts are opened for as low as one dollar, and four per cent interest is allowed on savings.
SACRAMENTO BANK COR. 5TH AND J STREETS

FOR YOUR NEXT SUIT OR OVERCOAT GO TO
All the latest patterns in Fall and Winter SUITINGS $35.00 AND UP
Sam Stone THE TAILOR
431 K St. Corner Fifth
Telephone Main 2813 J

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WE CAN SELL YOUR PROPERTY
Because we are the Largest REAL ESTATE Firm in Northern California
Write us about it Today 800 J STREET



RELIABLE JEWELRY
You must place reliance in your Jeweler if you would secure Jewelry that is sure to give satisfaction. We'd like you to look over our showing of Rings, Pins, Studs, Brooches, Watches, Diamonds, Solid Silverware and Cut Glass at any time.
Oldest Jewelry House in Sacramento Valley
H. WACHHORST CO.
718 K Street Leading Jewelers Sacramento, Cal.

AMADOR LEDGER.

JACKSON, CAL, NOVEMBER 12. 1909

FROM OUR CORRESPONDENTS

AMADOR.

Nov. 11—Mrs Kirkwood and Mrs Taylor of Jackson were the guests of Mrs Wrigglesworth Thursday.

Miss Hazel Whitehead, who has been attending the Portola festival, returned Thursday night.

Miss Lucia Kerr, one of the winners of a Portola trip in the Ledger's voting contest, returned from the city Friday evening, after spending a few weeks vacation.

S. J. Bonneau is on the sick list. It is hoped that he will be out again soon.

Mrs T. Chichizola and daughters, Lucy and Mary were the guests of Mrs Downs at Sutter Creek Saturday.

Mrs Gorton and daughter Mae attended the ball at Plymouth Saturday evening.

Mrs Arnerich is visiting with friends at Plymouth.

Mrs Clarence Reeves spent Saturday and Sunday in Plymouth.

Mr and Mrs Coffman and child, Mrs Webb Smith and Mrs Caldwell were the guests of Mrs Smith one day last week.

The accident that befell Norma Witte proved to be more serious than at first thought. Dr. Gall was called Sunday, and the limb was found to be broken just above the knee. She was taken to Jackson, and will be under Dr. Gall's care.

T. Deming and family has just returned from a week's visit at Roseville.

Mrs Honeychurch and child are up from Sacramento on a week's visit with the former's mother, Mrs Epling.

Ray Witte, who has been spending his vacation at Sacramento, returned Friday night.

E. H. Harrington has recovered from his recent illness, and returned to his duty as superintendent at the Bunker Hill mine.

J. A. McIntyre of Sutter Creek while driving from Amador to Sutter Creek, met with quite an accident just above the Keystone mill. In some way the lines became crossed and in turning the horse fell over the steep bank and broke its neck. Mr McIntyre escaped with just a few bruises.

PLYMOUTH.

Nov. 10—The ball given by the Catholic ladies was a grand success. Nearly every town in the county was represented. After supper the raffles took place, and were as follows: Miss Pinda Rettagliatta of Amador received the shawl; Mrs Riley of Sutter Creek the silk quilt; Mrs E. G. Myers of Stockton the butter-dish, and Mrs Ina Prichard of this place the canary birds.

Fay Chadbourne accompanied by Miss Marie Weston were visitors in Shenandoah Valley on Sunday last.

Mrs Geo. Easton and daughter Mae were passengers on the Carbondale stage Monday morning, en route for Stockton, where Miss Mae will attend business college.

Mr Richardson of Oleta died at the Central Hotel here on Monday, Nov. 8th of Bright's disease, and was buried in Oleta on Tuesday, November 9th.

Arthur Kohlburg has returned from San Francisco, and has again taken up his work as book-keeper for Rosenwald and Kahn.

Miss Young from near El Dorado is here on a visit to her aunt, Mrs George Roberts.

Miss Marie Weston has accepted the position as general housekeeper for Mrs H. E. Potter, who is still on the sick list.

Miss Ruby French, who has been visiting relatives in Sacramento for some time, has returned to her home here.

Fay Chadbourne has gone to Irvington and San Francisco for a few days.

Chas. Walton is on the sick list.

Mrs Oulds of Forest Home is visiting Mrs Millie Speakman of this place.

Miss Blanche Speakman spent Friday and Saturday with her grandparents, Mr and Mrs Chas Courrier of Shenandoah valley.

R. J. Coster has gone to Sacramento, where he will remain indefinitely.

Miss Elsie Johnson and Miss Clarice Votaw of Forest Home were the guests of Mrs Chas Devore on Sunday last.

Wild Roses.

Deafness Cannot be Cured

by local applications as they cannot reach the diseased portion of the ear There is only one way to cure deafness and that is by constitutional remedies. Deafness is caused by an inflamed condition of the mucous lining of the Eustachian Tube. When this tube is inflamed you have a rumbling sound or imperfect hearing, and when it is entirely closed, deafness is the result, and unless the inflammation can be taken out and this tube restored to its normal condition, hearing will be destroyed forever; nine cases out of ten are caused by Catarrh, which is nothing but an inflamed condition of the mucous surfaces.

We will give One Hundred Dollars for any case of Deafness (caused by catarrh) that cannot be cured by Hall's Catarrh Cure. Send for circulars, free.

F. J. CHENEY & Co., Toledo, O.

Sold by Druggists, 75c.

Hall's Family Pills are the best

House Numbering.

The property holders of Jackson were notified by mail of the street numbers to be placed on their respective premises, with a statement that such numbers must be affixed on or before December 31st next. Inclosed with the statement was a copy of the ordinance printed in booklet form with cover. This is the first instance in the history of its incorporated city that an ordinance has been deemed of sufficient importance to demand the printing thereof in seperate form, and the mailing thereof to parties concerned. Of course, the numbering of the houses is a vitally important point in the city government, especially when it is remembered that not a solitary street within this city is placarded with its name; that no stranger can find a residence or business house without due inquiry as heretofore; that no free postal delvery exists, or is likely to exist, for present prospects; that no official map of this city is in existance; that such a map with numbers would show that few of the streets have more than 25 or 30 numbered dwellings. But then it gives fodder for the city printer, in publishing ordinance, and printing notces. Next.

Pleasant, sure, easy, safe little pills, are DeWitt's Little Early Risers. They are easy to take, and act gently. We sell and recommend them.

Better Than Ever.

Mary Backstoop—Did he tell you life with him would be one grand, sweet song? Maudie Sidestreet—No. He said it would be one grand, beveled, sweet toned, silver coated, indestructible phonograph record.—Puck.

Getting On.

Father—And how are you getting on at school, Johnny? Johnny—Oh, I have learned to say "Thank you" and "If you please" in French. Father—That's more than you ever learned in English.

Not Quite a Sponge.

Percy—Skitts is a sponge—a perfect sponge.

"Oh, no! When a sponge absorbs anything, by squeezing it you can get it again."—Detroit Free Press.

Self is the first object of charity.—Latin Proverb.

The Brute.

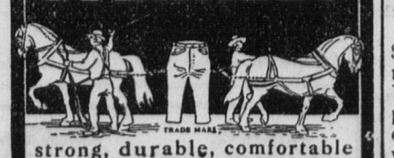
Wife—That vicious dog next door bit mother again this morning, and I'd like to know what you're going to do about it.

Husband—I'll ask him how much he wants for the dog!—New Orleans Times-Democrat.

Children Cry
FOR FLETCHER'S
CASTORIA

"Doan's Ointment cured me of eczema that had annoyed me for a long time. The cure was permanent."—Hon. S. Matthews, Commissioner Labor Statistics, Augusta, Me.

LEVI STRAUSS & CO'S OVERALLS



strong, durable, comfortable garments for workingmen

THE CLEANEST THE LIGHTEST — TOWER'S FISH BRAND — THE MOST COMFORTABLE



POMMEL SLICKER
and cheapest in the end because it wears longest
$3.50 EVERYWHERE
EVERY GARMENT GUARANTEED WATERPROOF
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A. J. TOWER CO. BOSTON, U.S.A.
TOWER CANADIAN CO. LIMITED TORONTO, CANADA.

AMADOR COUNTY
TEACHERS' INSTITUTE

Office of Superintendent of Schools of Amador County,
Jackson, Cal., Nov. 1st, 1909

To the Teachers of Amador County.
Ladies and Gentlemen—

The Regular Annual Session of the Amador County Teachers' Institute will convene in the Presbyterian Church, in IONE, on

Tuesday, November 16. 1909

At 10 o'clock a. m., and continue for three days.

Every teacher employed in the county is required by law to attend all the sessions of the Institute, and to take part in the proceedings.

W. H. GREENHALGH,
County Superintendent of Schools

Forced Into Exile.

Wm. Upchurch of Glen Oak, Okla, was an exile from home. Mountain air, he thought, would cure a frightful lung-racking cough that had defied all remedies for two years. After six months he returned, death dogging his steps. "Then I began to use Dr. King's New Discovery," he writes, "and after taking six bottles I am as well as ever." It saves thousands yearly from desperate lung disease. Infallible for coughs and colds, it dispels hoarseness and sore throat. Cures Grip, Bronchitis, Hemorrhages, Asthma, Croup, Whooping Cough. 50c and $100, trial bottle free, guaranteed by Spagnoli's Drug Store.

BORN

PARDINI.—In Jackson, November 5, 1909, to the wife of G. Pardini, a son.

ACCHER.—In Jackson, November 6, 1909, to the wife of Peter Accher, a son.

MARRIED.

SCIARONI—DABB—In Sutter Creek, November 11, 1909, Frank Sciaroni to Miss Hilda Dabb, both of Sutter Creek.

DIED

MOON—In Jackson, November 12, 1909, Nathanel R. Moon, aged 69 years, a native of Illinois.

For Anything in

LUMBER

RING UP

GREEN & RATTO

Jackson Agents.

AMADOR LUMBER CO.

Shooting Match
—AT—
NEW YORK RANCH
—ON—
Thanksgiving Day, Nov. 25

Turkeys, Chickens, Geese, Ducks and a fat Veal will be competed for

FOR RENT.—The store premises now occupied by the Red Front, on Main street, Jackson, opposite the Globe hotel. For particulars apply to George Weller, Jackson.

IVY HAIR TONIC

Is guaranteed and positive cure for DANDRUFF, FALLING HAIR, and BALDNESS. It not only grows hair on bald heads, but on eye brows and eyelashes as well. A splendid tonic for women's hair, leaving it light and fluffy. Write for free circular. Price $1.00 per bottle, 6 for $5.00.

L. E. JODOIN.
916-6th St. Sacramento.

ANY LADY can easily make from $18.00 to $25.00 per week working for me quietly in her own home locality. This is a bona fide offer—one which will pay you to investigate, even if you can only spare two hours per day. No investment required. Turn your spare time into money. Write me at once for particulars. Address HARRIET M. RICHARDS, Box 30, Woman's Building, Joliet, Illinois.

Eat What

You want of the food you need Kodol will digest it.

You need a sufficient amount of good wholesome food and more than this you need to fully digest it.

Else you can't gain strength, nor can you strengthen your stomach if it is weak.

You must eat in order to live and maintain strength.

You must not diet, because the body requires that you eat a sufficient amount of food regularly.

But this food must be digested, and it must be digested thoroughly.

When the stomach can't do it, you must take something that will help the stomach.

The proper way to do is to eat what you want, and let Kodol digest the food.

Nothing else can do this. When the stomach is weak it needs help; you must help it by giving it rest, and Kodol will do that.

Our Guarantee

Go to your druggist today, and purchase a dollar bottle, and if you can honestly say, that you did not receive any benefits from it, after using the entire bottle, the druggist will refund your money to you without question or delay.

We will pay the druggist the price of the bottle purchased by you.

This offer applies to the large bottle only and to but one in a family.

We could not afford to make such an offer, unless we positively knew what Kodol will do for you.

It would bankrupt us.

The dollar bottle contains 2½ times as much as the fifty cent bottle.

Kodol is made at the laboratories of E. C. DeWitt & Co., Chicago.

AT CITY PHARMACY, JACKSON

Hotel Arrivals

Globe.

Thursday—John Ekel, Plymouth.

Friday—Sam Gray, Sheep Ranch; W A Leachman, San Francisco; R E Martin, Milton; E P Leahy, Sacramento; J E Dye, Sutter Creek.

Saturday—F B Joyce, Defender; Wm Bradley, Wiley's Station.

Sunday—Peter Jonas, O M Henry, Volcano; James Behan, San Francisco.

Monday—E D Barney, Plymouth; Geo Murphy, Butte; C F Ditweiler, H S Detweiler, San Francisco E Bales, Amador City.

Tuesday—Mrs Oulds, Plymouth; Wm J Prisk, Sacramento.

Wednesday—Wm M Gregory, San Francisco; J Hamilton; F M Main, Fresno.

Thursday—James Behan, San Francisco; F E Cooper, Plymouth.

National.

Thursday—H J Friedlander, E G Hill, M C Watson and wife, H H Hackett, A Daniels, H S Hore, San Francisco; G B Gagnon, Plymouth; John Kanter, Louisville, Ky, S J Bonneau, Amador; J Mc Kelvey, Oakland; Mr and Mrs M L Murphy, Volcano.

Friday—Geo E Rice, F P Curti, R McNamara, M Cohen, Royal C Jones, F D P Teller, Fred King, F Groterfend, San Francisco; A V Brooks, Mokelumne Hill; G M Voorheis, Lodi.

Saturday—D Michaels, Mr and Mrs S Hollub, J J Carell, San Francisco; Mrs B G Smith, Defender; E McGaffee and wife, Valley Springs.

Sunday—G L Hill, E M Fisher, R D Emery, Will Geary, San Francisco; E P Eldred, Fesno; E Boydston, Volcano.

Monday—Joseph Kidd, G W Woolsey, J Newman, W C Fithian, Robt Ellis, Ione; P J Sherdian, R W Barnett, Lancha Plana; Chas S Webber, L E Kimbell, San Francisco; H C Guardian, Stockton; Andrew Howerton, Sacramento; A Moran and wife, Electra.

Tuesddy—P B Martin, St Louis; L E Kimball, Wm J McGee, W H Willis, W C Wynkoop, L A Gross, San Francisco; W Y Showler, A L Longton, Sacramento.

Wednesday—F S Graines, Stockton; A Cohen, Percy Kenyon, J J McMahon, San Francisco; Ed Kelly, Oakland.

Thursday—W W Winkley, Chester Holtz, San Francisco.

EVERY WOMAN

Covets a fresh, smooth, satiny complexion, and what satisfaction and peace of mind its possession brings. The lines of age, worry and overwork are rendered well nigh powerless by Mrs. NETTIE HARRISON'S LOLA MONTEZ CREME. A wonderful soother, healer and protector to a dry, contracted or chapped skin. Demonstrate its remarkable power in your home by obtaining a free sample and Book "SECRET OF BEAUTY AND GOOD HEALTH" at

CITY PHARMACY.

For Sale—$3,000.

Shaw's blacksmith and repair shop, Valley Springs, California, including real estate equipped with power and modern machinery for all classes of work, best lot of blacksmith and wood working tools in Calaveras county. Barcus horse shoeing sling, shop and tools for carriage painting.

Inquire of Warren Lamb, Livermore, Calif.

BIG CUT
—IN—
MONUMENTS
GRANITE
And CEMENT WOKK
40 PER CENT LESS

Than I usually charge. I will do the work in any part of Amador and Calaveras county. Work guaranteed.

A. FRANATOVICH,
Stone Mason.

A. BASSO
Jackson's Harness Man

Main street, opposite Globe Hotel

The finest assortment of Harness in Jackson. Anything in the Harness line can be had here reasonable rates.

All kinds of repair work done.

Boots and Shoes repaired. au20

THREE TIMES THE LIGHT ONE HALF THE COST

INVERTED REFLEX GAS LIGHT OVERSHADOWS ELECTRICITY



THE WELSBACH REFLEXOLIER

BOTH TESTS MADE BY ELECTRICAL TESTING LABORATORIES NEW YORK CITY.

THE WELSBACH REFLEXOLIER

FOR STORES, HOMES, CLUBS AND HALLS.

GIVES A SOFT STEADY LIGHT OF GREAT BRILLIANCY AND POWER CLOSELY RESEMBLING DAYLIGHT

SUPERIOR TO ELECTRIC LIGHT IN QUALITY, EFFICIENCY AND ECONOMY

The Lights are turned on or off by a mere pull on the chain-Making it as easy and convenient to operate as an Electric Light-Positive in its action-Simple in its construction.

CHEAPER TO BUY CHEAPER TO USE CHEAPER TO KEEP IN ORDER

EXHIBITION AT OUR SALESROOM

OUR REPRESENTATIVE WILL CALL BY REQUEST WITH FULL INFORMATION.

At JACKSON GAS WORKS

Order to Show Cause Why Order of Sale of Real Estate Should not be Made.

In the Superior Gourt of the county of Amador, State of California.

In the Matter of the Estate of Samuel W. Bright, deceased.

Carleton T. Bartlett, the Administrator of the Estate of Samuel W. Bright, Deceased, having filed his verified petition herein praying for an order of sale of the real estate of said decedent for the purposes therein set forth to-wit, for the best interest of the estate of said decedent and for the payment of the debts, expenses and charges of the Administration of said estate.

It is therefore ordered that all persons interested in the Estate of said deceased appear before said Superior Court on Saturday, the 20th day of November, A. D., 1909, at the hour of 10 o,clock A. M. of said day at the Court Room in the Court House in the City of Jackson, County of Amador, State of California, and show cause why an order should not be granted to the said Administrator to sell all of the real estate belonging to to said estate of deceased, and that a copy of this order be published four (4) successive weeks in the Amador Ledger, a newspaper printed and pubilshed in the said City of Jackson, county of Amador, State of California.

Dated October 22, 1909.

FRED V. WOOD
Judge of the Superior Court.

Robert C. Bole Attorney for Administrator. oc22td

Your Chance Now.

We want to keep busy during the dull season.

Today we offer our great bargains to accomplish this.

Four hundred new styles to select from.

Every garment receives personal attention here.

Fit and workmanship guaranteed.

GEO. RAYMOND.
The London Tailor.

Money to Loan

On Real Estate at Prevailing Rates of Interest.

People's Savings Bank
OF SACRAMENTO,
400 J STREET.

Pays Interest on All Deposits.

We are under the supervision of the State Law of California. Money in State Savings Banks is Free From TAXES.

Accepts deposits in sums from ONE DOLLAR and upward.

Paid Up Capital and Reserve - - - 400,000
Assets - - - $2'750,000

Does Strictly a Savings Bank Business

Send for our booklet, "BANKING BY MAIL"

DONT YOU KNOW

That the prosperity of a community is due in a great measure to the amount of money in circulation. Dont you know that money locked up in safe deposit boxes, trunks and old coffee pots is idle money, it should work and will work if you give it the opportunity. Every cent we have outside of what is required under the banking laws of this state to be kept in our vaults is working and some of it working over time. The Board of Directors are active and successful business men and meet once a month and invest every cent available for that purpose. Your prosperity is our prosperity, and we earnestly solicit at least a part of your patronage.

Bank of Amador County
Jackson, California

BANKING BY MAIL

The Stockton Savings and Loan Society with resources of $4,000,000.00 offers every facility for doing a banking business by mail. Checks taken payable in any part of the United States. Our system of banking by mail practically brings this great bank to your door. To open an account with us, place the amount you wish to start within an envelope addressed to us and by return mail you will receive a bank book showing the amount of your deposit. The United States mails are safe and no one ever lost a dollar in this way. We solicit the accounts of farmers, business men and others and assure them courteous and liberal treatment.

Kindly Mention this Paper

Send for free Booklet.

STOCKTON SAVINGS AND LOAN SOCIETY
Stockton, California

BEAUTY.

Your beauty can be improved by using Langley's Vanishing Peroxide Cream, the best vanishing peroxide cream on the market.

Langley's Peroxide Cream contains no chemicals injurious to the skin, nor does it produce any unpleasant feeling after application. Beneficial for rough and chapped hands; having a mild bleaching action it is excellent for the removal of discoloration of the skin. Langley's Peroxide Cream is a fine preparation for the removal of sunburn and tan that is so prevalent just now,

Sold only at

RUHSER'S CITY PHARMACY

Main Street, Corner Court St.

JACKSON, CAL,

AMADOR LEDGER.

JACKSON, CAL NOVEMBER 12, 1909

TEMPERATURE AND RAINFALL

This table gives the highest and lowest temperature in Jackson for each day, together with the rainfall, as recorded by self-registering instruments kept at the Ledger office.

Date.	Temp L.	Temp H.	Rain'l	Date.	Temp L.	Temp H.	Rain'l
Nov 1..1909	46	80		17	..	..	
2.....	44	80		18.....	..	..	
3.....	43	81		19.....	..	..	
4.....	41	81		20.....	..	..	
5.....	40	74	0.11	21	..	..	..
6.....	40	73		22.....	..	..	..
7.....	44	74		 23.....	..	..	
8.	43	65		 24.....	..	..	
9.....	47	69	1.39	25.....	..	..	
10.....	46	69	0.60	 26.....	..	..	
11.....	45	60	0.51	27.....	..	..	
12.....	35	..		28.....	..	..	
13.....	..	..	..	29.....	..	..	
14.....	..	..		3.0.....	..	..	
15.....	..	..		31.....	..	..	
16.....	..	..					

LOCAL NEWS

J. F. Wilson. Dentist. Hours 9 a. m. to 5 p. m. Phone—Office, black 444: residence. Black 394; Jackson.

A heavy rainstorm set in early Monday night, continuing all through the night. Tuesday night it also rained heavily. The rainfall for the past week, according to the gauge kept at the Ledger office, measured 2.50 inches. The ground is in fine condition for plowing, the hills becoming clothed with green. In the mountains there has been a heavy fall of snow. Before the last storm the snow was ten inches deep in the vicinity of Hams station, and there has no doubt been a much heavier fall since then.

When other Flours fail—try Miller's Best. no 5

The Halloween entertainment at New York Ranch for the benefit of the district school netted $39.25 for the school fund—a very satisfactory income. The success of the affair was largely due to the efforts of the teacher, Miss Poulson, who was untiring in training the children, and doing everything calculated to help the entertainment along.

A marriage license was issued in Sacramento last week to Joseph V. Marchini and Mary M. Giachetto, both of Sutter Creek.

W. H. Willis, the shorthand reporter, came over from Angels Tuesday, to take the testimony in the case of Issacs vs. M. Jones, as administrator, which was heard in the superior court yesterday. He will report the case of People vs Dow Nichols on preliminary examination before the justice's court of Ione to-day. While in Angels he took down the depositions in the damage suit of Lightner Mining Company vs. Utica.

Austin Reverly, the vocalist at the moving picture show in Jackson for the past eight months, left last week with the intention of returning to his home in Canada.

On Monday morning the quarantine was raised from five scarlet fever cases, three of which were at Kennedy flat. This left this vicinity virtually free from this contagious disease. The outbreak recently never amounted to what might be termed an epidemic. Half a dozen cases in a population of three thousand is nothing out of the ordinary, and certainly nothing that would justify the suspension of school facilities for the entire juvenile population.

James Harris, while working in the ore chute of the Zeila mill over a week ago, was struck on the left foot by a rock which rolled from the top of the ore pile, crushing the big toe to some extent, although leaving the skin unbroken. The injury has given him considerable trouble since, although he has not been disabled from work.

Mrs G. Raymond, who has been visiting in San Jose for several weeks, returned home the latter part of last week.

James Mushett left Tuesday morning for Tonopah, Nevada. He expects to engage in mining there, at a camp about 75 miles from Tonopah, where his son is already engaged in the mining business.

C. Bogisich, foot of Broadway. Fresh Fish every Thursday. no12

Major Wynkoop and L A Gross were in Jackson Wednesday, en route for Volcano. The Major represents French capitalists who are on the lookout for profitable investments. We do not know what particular enterprise these men are investigating, but whatever its nature, it no doubt contemplates the expenditure of a large sum in developing the resources of the county, and should therefore meet with a generous encouragement.

Miss Mabel Bolitho, who is employed at Heiser's candy store, returned a few days ago, after a month's visit with friends in Sacramento.

J. D. Mason is quite sick, and confined to his bed. He is under the care of Dr Sprague.

The grand jury met and adjourned temporarily last Monday to meet again at the call of the foreman.

Mr Everett, a mining man from Mokelumne Hill, was in Jackson Monday, looking up the records in regard to the title of the Dewitt mine in Murphy's gulch. The parties he represents own a controlling interest in this mining claim, and would probably do some prospecting, if the question of title were straightened out. Some time ago they took steps to straighten out the matter by applying to have the property sold by the state on account of delinquent taxes. At the last moment, however, the Odd Fellows lodge of Jackson, which holds a mortgage covering the ranch property and the mine, stepped in and redeemed the property, which leaves the tangle as regards the mining claim as far from a solution as ever. Naturally, the capitalists interested are wary about investing in the exploration of the mines so long as any question concerning the ownership remains unsettled.

High grade candies on hand at all times at the Acme Candy Parlor.

The first mushroons of the season were peddled in Jackson Monday. They were of the variety commonly known as Italian mushroons—large white ones found under trees. These are much sought after by the Italians, who claim that they are superior to all other kinds. Many are somewhat shy of them. Those offered for sale Monday were brought from the vicinity of Pine Grove, and were bought up in a few minutes.

E. H. Harrington has purchased the Bright residence property on Pitt street, and intends moving his family therein as soon as he makes arrangements therefor. It is one of the best residence sites to be found in the city. Herbert Bright came from San Francisco to attend to the matter.

LOST.—On Saturday last, between New York Ranch and Jackson, a gentleman's gold watch, with initials S. H. C. engraved on the outside of case. Finder will be rewarded on leaving same at this office.

The repairs to the west wing of the county hospital are about finished, except the painting. The main building will be attended to next. If need be, the repairs to the east wing can be deferred for a time. The poor material used and poor construction when the buildings were put up under contract are now apparent.

Wm. Hanley announces in our advertising columns a turkey shooting to take place at New York Ranch on Thanksgiving day, November 25. There will be turkeys, geese, chickens, ducks, and a fatted calf to be contested for.

Mrs J. Bellumonini, who has been visiting in Jackson and vicinity for several weeks, left Wednesday morning for Oakland, where her son Virgilio is engaged in the butcher business.

Mr Watson, bank examiner, was in Jackson several days last week, looking into the affairs of the Amador county Bank. He finished his work here Monday, and left the following day. The bank commissioners are required to make a thorough examination at stated intervals of the condition of every banking firm or corporation doing business in California.

Go to the Acme Candy Parlor for hot coffee, ham sandwiches and tamales, beginning on Saturday night.

SUPERIOR COURT PROCEEDINGS

HON. F. V. WOOD JUDGE

Estate of S D R Stewart—Decree made that due and legal notice has been given; sale of real property in Sutter Creek for $250 confirmed.

Stana Skulich vs Lazza Skulich—Interlocuory decree of divorce granted on the ground of extreme cruelty. Defendmant ordered to pay 815 per month alimony and plaintiff's costs of suit amounting to $20 50.

Garibaldi vs Grillo—Order made denying injunction and directing entry of judgment.

Matter of empaneling a Grand Jury—The following named persons were called and sworn as a grand jury: Wm C Fithan, Jacob Newman, A L Garibalid, W H Lessley, V J Chichizola, E D Boydston, O M Henry, J H Langhorst, John A Phipps, George L Thomas, Joseph Kidd, P J Sheridan, George P Murphy, Andrew Perovich, R W Barnett, Robert Ellis, E D Barney, George Woolsey and P I Jonas. The court appointed George Woolsey as foreman. Oaths administered to foreman and jury. The court then read its charge to the jury, whereupon it entered upon its duties.

Estate of Robert Upton—Order made appointing C L Culbert, B F Taylor and Jabez Ninnis appraisers.

People vs Agostino Borello, Arraigned; plead guilty; case set for November 29th for trial.

Wm D Ould vs Victoria Ould—Settlement of property rights out of court confirmed. Intelocutory decree of divorce granted.

Estate of Marie Corotto—Decree made establishing notice to creditors; order made settling final acconnt and distribution.

Estate of Thomas Rowse—Decree made establishing notice to creditors.

Richard Webb vs C L Culbert, as treasurer of City of Jackson—Opinion filed by court. Temporary injunction heretofore granted, dissolved.

M Isaacs vs M Jones, administrator—On trial. Demurrers to petition for plaintiffs and to objections, filed. Demurrer to objections sustained; petitioner granted 7 days in which to amend and administrator granted 7 days in which to demur. Further hearing continued until December 15.

New Cases.

Geo Yager et al vs Mrs E E Stevens et al—Complaint filed and summons issued. Complaint sets up that on October 16, 1909, the plaintiffs were in possession of 280 acres near Willow Springs known as the Stevens Ranch; that on such date the defendants unlawfully entered upon such lands and premises and ousted plaintiffs therefrom, and now holds posesession of the same; that plaintiffs have been deprived of the use of such premises since said date, and pray for the restitution of said premises and for $500 damages, and that such damages be trebled.

J G Banfield et al vs Martin J Derania et al—Complaint filed and summons issued. Affidavit of attachment and undertaking on attachment filed. Writ of attachment issued. The complaint says that on September 30, 1908, at Lowry, Tehama county, the plaintiffs sold and delivered to said defendants 300 wethers for the sum of $700; that on said date $200 was paid on account and that the balance was promised to be paid on December 26, of the same year; that $149 60 and interest is still due, and for a second cause of action the complaint states that on November 2, 1908, at the same place the same plaintiffs sold to the same defendants 271 goats for the sum of $677 50; that on that date $202 was paid on account, that there is now due and unpaid the sum of $475 50, making a total of $606 90 with interest stlil due and unpaid.

Estate of Frank A Richardson—H E Potter petitions for letters of administration. The petition sets forth that the estate consists of lot 5 block 2 in Oleta of the value of $100; also household furniture, money and other property, the value of the latter being unknown. The next of kin are unknown to the petitioner. Petition for special letters of administration filed. Order made granting same.

Estate of John D Baughman—H E Potter petitions for letters of administration. The estate consists of about 60 acres in 18-5-11 and is valued at $75. So far as known he left no next of kin.

Wm J McGee vs California Con Mines, a corporation—Complaint filed and summons issued. Suit to quiet title. Plaintiff alleges that he is the owner in fee to the Stewart quartz mining claim in Sutter Creek district, and prays that defendants be required to set forth the nature of their several claims and that each of them be determined by a decree of court and by said decree that he be declared the owner of said land and defendants be barred from asserting any rights thereto.

Colds and Croup in Children.

"My little girl is subject to colds," says Mrs. Wm. H. Serig, No. 41 Fifth St., Wheeling, W. Va. "Last winter she had a severe spell and a terrible cough, but I cured her with Chamberlain's Cough Remedy without the aid of a doctor, and my little boy has been prevented many times from having the croup by the timely use of this syrup. This remedy is for sale by Jackson Drug Store, Spagnoli Prop.

More Locals.

The preliminary examination of Dan Taylor, charged with drawing a gun on Henry Bradley in El Dorado county, near Ham's station, a few weeks ago, has been set for December 13, before the justice of the peace at Indian Diggings.

Ice cream, peanuts and popcorn always at the Acme Candy Parlor.

Just as the people were congratulating themselves on the disappearance of scarlet fever, three new cases were discovered Monday morning, one in the family of Thos. Ryan, and one in the family of Chris Marelia, and one at Kennedy flat, a child of Mr and Mrs G. Tyacke. They are all mild cases.

A warrant has been issued out of the city recorder's court for the arrest of a man named Gus Nelson, on complaint of T. M. Danielson, who charges that he took a coat belonging to him. The accused was working in one of the mines here, and suddenly skipped out, leaving a number of bills unpaid.

Oro Fino Circle will give a grand masquerade ball in Love's Hall on Thanksgiving eve, November 24. Tickets incluidng supper at Odd Fellows banquet hall, $2 each.

Mrs John Eudey is very critically ill at the Fremont mine. She is attended by two physicians, and everything possible is being done to insure her recovery. About ten days ago she gave birth to a son.

Amador Teachers' Institute

Amador county teachers' institute will convene in Ione on Tuesday next, and continue for four days. Able speakers connected with educational interests have been secured for this occasion, among them being, T. H. Kirk, of Los Angeles, Dr. Richard G. Boone, and Prof Babcosh, of California University, Miss Bennetts instructor in English, Oakalnd, Edward Cubberly of Standford University. The institute promises to be one of unusual interest.

Acme Candy Store Sold

On Saturday last Fred Eudey bought the Acme Candy Store business from Mrs C. C. Ginocchio, and took possession on Sunday. He will hereafter conduct the business himself with the assistance of his wife. The store is splendidly located on Main street, and by close attention to business the new proprietor hopes to secure a liberal share of public patronage in his line.

For Coughs and Colds

Troubled with a cough? A hard cold, bronchitis, or some chronic lung trouble? There is a medicine made for just these cases—Ayer's Cherry Pectoral. Your doctor knows all about it. Ask him what he thinks of it. No medicine can ever take the place of your doctor. Keep in close touch with him, consult him frequently, trust him fully. No alcohol in this cough medicine. *J.C. Ayer Co., Lowell, Mass.*

Ayer's Pills. Sugar-coated. All vegetable. Act directly on the liver. Gently laxative. Dose, only one pill. Sold for nearly sixty years. Ask your doctor about them.

DOCUMENTS RECORDED.

The following instruments have been filed for record in the recorder's office since our last report. We publish a complete list of documents recorded, and must decline to accede to any request to suppress any document from these columns. Don't ask us to do so

Deeds—James B Bastian to Mrs Johanna Bastian, lot 5 block 1, Amador City, love and affection.

Louis Miller to Giacomo Oneto, 80 acres in 32-8-14, $10.

William J Mornington to George H James, part of lot 11 block 1, Amador City, $10.

Martha T Bright to E H Harrintgon, lot 3 block 2, Jackson, $10.

Chares L Dicken et ux to O M Henry, an undivided one-half interest in lots 3 and 15 block 9, Volcano, $10.

E. C. Voorheis, administrator, to Wm. J. McGee, Stewart quartz claim, Sutter Creek, $250.

Frank Rizzi to Giovanni M. Rizzi, lot in Sutter Creek and personal property, $1.

Satisfaction of Mortgage—Cavagnaro to Amick.

Execution—A J Leverone files copy of execution in case of T T Hocking et ux vs H F Vogt. Property affected, 120 acres in 33-6-12; demand, $144.

Bond—D B Spagnoli files his notary bond with Alfonso Ginocchio. Peter L Cassinelli and Virgilio Podesta as sureties, each qualifying in the penal sum of $5000.

Proof of Labor—William L Morrow on the Grainger Talc mine, Drytown district..

Patent—U S to Frank Primo, 160 acres in 22-8-14 as agricultural land.

Survey—William Brown files the offical field notes of a survey between William E Speer and Nichola Radovich.

Bill of Sale—John D Davitto sells to Chris Lepava and Jalo Kalak his stock, fixtures and good will of the Colombo saloon, Main street, Jackson; consideration, $10.

Location—Lawrence McKenzie locates the Legal Linden quartz claim in Volcano district.

Lease—Nellie Ginocchio et al leases to Frederick Eudey, lot 9 block 7, Jackson, for five years from and after November 7, 1909, at a monthly rental of $35 with the privilege of renewing such lease for an additional five years and the party of the second part shall have the first right to purchase said premises.

Homestead—Mrs Sarah E Stevens files a homestead on 280 acres in 17-7-9, known as the Stevens ranch; value, $3,000.

Order—Order filed confirming sale in estate of S D R Stewart, deceased.

Certificate of Redemption—Susan Hampton on lot 17 block 3, Amador City, taxes of 1906, 1907 and 1908, $2285.

Attachment—J G Banfield et al vs Martin J Derania. Property affected, lot 2 block 30, lot—block 24, lot 3 block 30 and house on Plymouth Con. ground. Demand, $606.90.

Partial release of mortgage—Joses to Yager.

Mortgage—A. Frederich to John W. Joses, 320 acres in 9 and 10-5-10, $1000.

How to Cure a Cold.

Be as careful as you can you will occassionally take cold, and when you do, get a medicine of known reliability, one that has an established reputation and is certain to effect a quick cure. Such a medicine is Chamberlain's Cough Remedy. It has gained a world wide reputation by its remarkable cures of this most common ailment, and can always be depended upon. It acts on nature's plan, relives the lungs, aids expectoration, opens the secretions and aids nature in restoring the system to a healthy condition. During the many years in which it has been in general use we have yet to learn of a single case of cold or attack of the grip having resulted in pneumonia when this remedy was used, which shows conclusively that it is a certain preventive of that dangerous disease. Chamberlain's Cough Remedy contains no opium or other narcotic and may be given as confidently to a baby as to an adult. For sale by Jackson Drug store. Spagnoli Prop

CLASSY, EXCLUSIVE MORADA

Fine electric cars run to Morada in 18 minutes from the heart of Stockton.

Electricity is a wonderful builder. Ten years will see the contiguous territory between Stockton and Morada eliminated. Stockton will have a population of 100,000, and Morada will be its swellest residence section.

More money will be made through the rise in real estate in this section within the next ten years, than was destroyed by the San Franciso fire and earthquake. You can buy it now on your own terms, but you will have to act quick.

For beautiful illustrated booklet and souvenir watch fob, see or write

MORADA REALTY COMPANY

WM. H. BROWN, Sec. Mgr.

330 E. Weber Ave

STOCKTON, CAL.

The Conquest of the Pole

By Dr. FREDERICK A. COOK

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Eighty-Three Degrees Below—Willing Savage Hands. Marching Over the Polar Seas

[FIFTH ARTICLE]

EARLY in January of 1908 the campaign opened. A few sleds were sent to the American shores to explore a route and to advance supplies.

Clouds and storms made the moonlight days dark, and therefore these advance expeditions were only partly successful.

On Feb. 19, 1908, the main expedition started for the pole. Eleven men, driving 103 dogs and moving 11 heavily loaded sleds, left the Greenland shore and pushed westward over the troublesome ice of Smith sound to Cape Sabine.

The gloom of the long winter night was but little relieved by a few hours of daylight, and the temperature was very low.

Eighty-three Degrees Below.

Passing through a valley between Ellesmere Land and Grinnell Land from the head of Flagler bay, in crossing to the Pacific slopes, the temperature fell to 83 degrees F. below zero.

In Baj fiord many musk oxen were secured, and, though the winter frost was at its lowest, there was little wind, and with an abundance of fresh meat and also fat for fuel the life in the snow house proved fairly comfortable.

The ice in Eureka and Nansen sounds proved fairly smooth, and long marches were made. With an abundance of game—musk oxen, bears and hares—we found it quite unnecessary to use the supplies taken from Greenland. Caches of food and ammunition were left along Heiberg island for the return.

Willing Savage Hands.

Thus we managed to keep in game trails and in excellent fighting trim to the end of known lands. Camping in the chill of the frowning cliffs of the northernmost coast (Svartevog), we looked out over the heavy ice of the polar seas through eyes which had been hardened to the worst of polar environments.

There was at hand an abundance of supplies, with willing savage hands and a superabundance of brute force in overfed pelts, but for a greater certainty of action over the unknown regions beyond I resolved to reduce the force to the smallest numbers consistent with the execution of the problem in hand.

We had traveled nearly 400 miles in twenty-eight days. There remained a line of 520 miles of unknowable trouble to be overcome before our goal could be reached. For this final task we were provided with every conceivable device to ease this hard lot; but, in addition to a rduced party, I now definitely resolved to simplify the entire equipment. At Svartevog a big cache was made. In this cache fresh meat, todnu, pemmican and much other food, together with all discarded articles of equipment, were left.

In the northward advance every factor of the dog train had been carefully watched and studied to provide a perfect working force for the final reach over the polar sea. Etukishuk and Ahwelah, two young Eskimos, each twenty years old, had been chosen as best fitted to be my sole companions in the long run of destiny. Twenty-six dogs were picked, and upon two sleds were loaded all our needs for a stay of eighty days.

All For Progress.

To have increased this party would not have enabled us to carry supplies for a greater number of days. The sleds might have been loaded more heavily, but this would reduce the important progress of the first days.

With the character of ice which we had before us advance stations were impossible. A large expedition and a heavy equipment seemed imprudent. We must win or lose in a prolonged effort at high pressure, and therefore absolute control and ease of adaptability to a changing environment must be assured.

It is impossible to adequately control the complex human temperament of unknown men in the polar wilderness, but the two Eskimo boys could be trusted to follow to the limit of my own endeavors, and our sleds were burdened only with absolute necessities.

Cutting Down Weight.

Because of the importance of a light and efficient equipment much care was taken to eliminate every ounce of weight. The sleds were made of hickory, the lightest wood consistent with great endurance, but every needless fiber was gouged out. The iron shoes were ground thin, and in every way the weight of nearly everything was reduced even after leaving headquarters.

The little train, therefore, which followed me into the farther mystery was composed of two sleds, each carrying 600 pounds, drawn by 13 dogs, under the lash of an expert driver. The combined freight was as follows: Pemmican, 805 pounds; musk ox tenderloin, 50 pounds; todnu, 25 pounds; tea, 2 pounds; coffee, 1 pound; sugar, 25 pounds; condensed milk, 40 pounds; milk biscuits, 60 pounds; pea soup, powdered and compressed, 10 pounds; surprises, 5 pounds; petroleum, 40 pounds; wood alcohol, 2 pounds; candles, 3 pounds; matches, 1 pound.

The Camp Equipment.

The camp equipment included the following articles: One blow fire lamp (Jeueb), 3 aluminium pails, 3 aluminium cups, 3 aluminium teaspoons, 1 tablespoon, 3 tin plates, 6 pocketknives, 2 butcher knives (10 inches), 1 saw knife (13 inches), 1 long knife (15 inches), 1 rifle (Sharpe), 1 rifle (Winchester, 22), 110 cartridges, 1 hatchet, 1 Alpine ax, extra line and lashings, 3 personal bags.

The sled equipment was 2 sleds weighing 52 pounds each, 12 foot folding canvas boat, 34 pounds; 1 silk tent, 2 canvas sled covers, 2 sleeping bags (reindeer skin), floor furs, extra wood for sled repairs, screws, nails and rivets.

The instruments were as follows. Three compasses, 1 sextant, 1 artificial horizon (glass), 1 pedometer, 3 pocket chronometers, 1 watch, charts, map-making material and instruments, 3 thermometers, 1 aneroid barometer, 1 camera and films, notebooks and pencils.

The personal bags contained four extra pairs of kamiks, with fur stockings, a woolen shirt, three pairs of sealskin mittens, two pairs of fur mittens, a piece of blanket, a sealskin coat (netshat), a repair kit for mending clothing and dog harness, extra fox tails.

On the march we wore snow goggles, blue fox coats (kapitahs), birdskin shirts, woolen drawers, bearskin pants, kamiks and bareskin stockings. We fastened a band of fox tails under the knee and about the waist.

Helping the Advance.

On the morning of March 18 preparations were made to divide the party. The advance must be helped over the rough ice of the pack edge, and for this purpose Koolootingwah and Inugito were selected. The other six Eskimos prepared to return. One sled was left with the cache to insure a good vehicle for our return in case the two sleds were badly broken en route.

A half gale was blowing into Nansen sound from the northwest, but this did not interfere with the starting of those home going Eskimos. With abundant game for the return they required little but ammunition to supply their wants.

When the word was given to start, the dogs were gathered and the sleds were spanned with a jump. Soon they disappeared in the rush of driving snow. The crack of the whips and the rebound of cheering voices were the last which we heard of the faithful savage supporters. They had followed not for pay, but for a real desire to be helpful, from the dark days of the ending of night to the bright nights of the coming double days, and their parting enforced a pang of loneliness.

Another Sleep Before the Start.

With a snow charged blast in our faces it was quite impossible for us to start, so we withdrew to the snow igloo, entered our bags and slept a few hours longer. At noon the horizon cleared. The wind veered to the southwest and came with an endurable force. The dogs had been doubly fed the night before. They were not to be fed again for two days. The 1,200 pounds of freight were packed on our sleds, and quickly we slipped around deep grooves in the great polocrystic floes.

The snow had been swept from the ice by the force of the preceding storms, and the speed attained by the dogs through even rough ice was such that it was difficult to keep far enough ahead to get a good course.

The crevasses and pressure lines gave little trouble at first, but the hard irregularity of the bared ice offered a dangerous surface for the life of our sleds, passing through blue gorges among miniature mountains of sea ice. On a course slightly west of north we soon sank the bold headland which raises the northern point of Heiberg island.

Camp Is Pitched.

After a run of twenty-six miles we pitched camp on a floe berg of unusual height. There were many big hummocks about, to the lee of which were great banks of hardened snow. Away from land it is always more difficult to find snow suitable for cutting building blocks, but here was an abundance conveniently placed. In the course of an hour a comfortable palace of crystal was erected, and into it we crept out of the piercing wind. The first day's march over the circumpolar sea was closed with a good record.

The dogs curled up and went to sleep without a call, as if they knew there would be no food until the morrow. My wild companions covered their faces with their convenient long hair and sank quietly into a comfortable slumber, but for me sleep was quite impossible. Letters must be written. The whole problem of our campaign must be again carefully studied and final plans must be made not only to reach our ultimate destination, but for the returning parties and for the security of the things at Annootok.

Impossible to Foretell Return.

It was difficult at this time to even guess at the probable line of our return to land. Much depended upon conditions encountered in the northward route. Though we had left caches of supplies, with the object of returning along Nansen sound into Cannon fiord and over Arthur Land, I entertained grave doubts of our ability to return this way. If the ice drifted strongly to the east we might not be given the choice of working out our own return. In that event we would be carried perhaps helplessly to Greenland and must seek a return either along the east coast or the west coast.

This drift did not offer a dangerous hardship, for the musk oxen would keep us alive to the west, and to the east it seemed possible to reach Shannon island, where the Baldwin-Ziegler expedition had abandoned a large cache of supplies. It appeared not improbable also that a large land extension might offer a safe return much farther west.

Francke's Instructions.

Because of this uncertainty Francke was instructed to wait until June 5, 1908, and if we did not return he was told to place Koolootingwah in charge and go home either by the whalers or by the Danish ships to the south.

No relief which he could offer would help us, and to wait for an indefinite time alone would have inflicted a needless hardship. This and many other instructions were prepared for Koolootingwah and Inugito to take back.

In the morning the frost in crystals had been swept from the air, but there remained a humid chill which pierced to the bones. The temperature was minus 56 F. A light air came from the west, and the sun burned in a freezing blue.

After a few hours' march the ice changed in character. The extensive thick fields gave place to moderate sized floes. The floes were separated by zones of troublesome crushed ice thrown into high pressure lines, which offered serious barriers, but with the ice ax and Eskimo ingenuity we managed to make fair progress.

The second run on the polar sea was with twenty-one miles to our credit. I had expected to send the supporting party back from here, but progress had not been as good as expected. We could hardly spare the food to feed their dogs, so they volunteered to push along another day without dog food.

Return of the Helpers.

On the next day, with increasing difficulties in some troublesome ice, we camped after making only sixteen miles. Here a small snow house was built, and from here, after disposing of a pot of steaming musk ox loins and broth, followed by a double brew of tea, our last helpers returned.

With empty sleds and hungry dogs they hoped to reach land in one long day's travel. But this would make the fourth day without food for their dogs, and in case of storm or moving ice other days of famine might easily fall to their lot. They had, however, an abundance of dogs and might sacrifice a few for the benefit of the others, as we must often do.



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ESKIMO BELLES ON THE JOHN R. BRADLEY.

They Took Him In.

A certain foreign scientist, who recently lectured in this country, was to say the least, careless about dress. Once he was asked to lecture in a city not far from Philadelphia. He went, taking with him his dress suit, and no other suit. Having given his lecture, he spent the night at the house of a fellow-professor, woke up the next morning, cheerfully donned the dress suit, and sallied forth to give another lecture at the local college.

He didn't know just where the college was, but, spying an imposing-looking building, not far from his host's residence, decided that that was it. While walking toward the door he suddenly saw an ant hill. Bugs were his specialty. He dropped at once on his knees, dress suit and all and started to scoop out the ants.

The next thing he knew he was surrounded by a body of men who had rushed out from the imposing-looking building. They seized him roughly and proceeded to drag him indoors. He gesticulated. He protested in many languages. It was of no avail. At last, however, explanations were forthcoming.

The imposing-looking building was none other than the lunatic asylum. Seeing a man attired in a dress suit digging up ants at 10 o'clock in the morning the attendants had thought that an inmate had escaped, hence the sally and attack.

Potatoes Served in Nineteen Ways

Once there was a good man.

This good man knew a very rich man.

The very rich man invited the good man to dine with him. But the good man did not care for all the splendid food which the cook of the rich man prepared.

But the nobleman begged him so much that at last he said: Well, I will come, but, remember, there must be nothing else but potatoes for dinner." And the nobleman had to promise to have a dinner of potatoes only.

At the proper time, therefore, the good man went to the rich man's mansion, and after a short chat he and the rich man went to get their dinner.

And true enough, there was nothing but potatoes to eat!

But the clever cook, who lived in the rich man's mansion, had cooked these potatoes in nineteen different ways, and so there were nineteen separate dishes for them to choose from.

The good man never expected anything like that, for he wanted a few roasted potatoes, and he was very much surprised.

"Well," he said, "I am sorry now I spoke about potatoes, for this has caused you more trouble than making an ordinary dinner."

But the rich man laughed and said that no trouble was too much for such a good man as his guest.

Must Do Development Work

For the benefit of those who have been holding mining claims for years without doing the necessary amount of labor, we publish a decision of the Land Department as follows:

"The failure or neglect of any locator to perform development work of a character in the manner and within the time required by the law of the United States shall disqualify such locator from relocating the ground embraced in the original location or mining claim, or any part thereof, within three years after the date of his original location. Any attempted relocation thereof by any of the original locators shall render such location void.

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NOTICE FOR REPUBLICATION

Department of the Interior,
U. S. Land Office at Sacramento, California, September 10, 1909

Notice is hereby given that John A. Tonzi, of Ione, California, who, on December 4, 1907, made timber and stone application., No 2074, for Lots 1, 2, 3, 4, and SW¼ of NW¼, of Sec. 5, T. 7 N, R 13 E. and SE¼ of SW¼ of Section 32, Township 8 N, Range 13 E., Mt. Diablo Meridian, has filed notice of intention to make Final Proof, to establish claim to the land above described, before the Register and Receiver of the U. S. Land office, at Sacramento, California, on the 8th day of November, 1909.

Claimant names as witnesses:
Theodore Gebhart, of Ione, California;
Charles Henderson, of Ione, California;
Albert T. Tonzi, of Ione California;
Bert Martin, of Ione, California.

JOHN F. ARMSTRONG,
Sept. 17—10 Register.

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MARINERS' COMPASS.

Little Known of the Real Origin of the Instrument.

ITS USE BY THE CHINESE.

This Wonderful People Knew of the Magnetic Needle Long Before the Christian Era—The Claims of Gioia, the Pilot, and the Credit Due Him.

Much interest must forever attach to the discovery of that valuable instrument the mariner's compass, and yet there are few subjects concerning which less is known. For a period the honor of the invention was ascribed to Gioia, a pilot, born at Pasitano, a small village situated near Amalfi, about the end of the thirteenth century. His claims, however, have been disputed.

Much learning and labor have been bestowed upon the subject of the discovery. It has been maintained by one class that even the Phoenicians were the inventors, by another that the Greeks and Romans had a knowledge of it. Such notions, however, have been completely refuted.

One passage, nevertheless, of a remarkable character occurs in the works of Cardinal de Vitty, bishop of Ptolemais, in Syria. He went to Palestine during the fourth crusade, about the year 1204. He returned afterward to Europe and subsequently back to the Holy Land, where he wrote his work entitled "Historia Orientalis," as nearly as can be determined, between the years 1215 and 1220. In chapter 91 of that work he has this singular passage:

"The iron needle, after contact with the loadstone, constantly turns to the north star, which, at the axis of the firmament, remains immovable while the others revolve, and hence it is essentially necessary to those navigating on the ocean."

These words are as explicit as they are extraordinary. They state a fact and announce a use. The thing, therefore, which essentially constitutes the compass must have been known long before the birth of Gioia. In addition to this fact, there is another equally fatal to his claim as the original discoverer.

It is now settled beyond a doubt that the Chinese were acquainted with the compass long before the Europeans. It is certain that there are allusions to the magnetic needle in the traditionary period of Chinese history, about 2,000 years before Christ, and a still more credible account of it is found in the reign of Chiugwang of the Chow dynasty, before Christ 1114.

All this, however, may be granted without in the least impairing the just claims of Gioia to the gratitude of mankind. The truth appears to be that the position of Gioia in relation to the compass was precisely that of Watt in relation to the steam engine—the element existed; he augmented its utility.

The compass used by the mariners in the Mediterranean during the twelfth and thirteenth centuries was a very uncertain and unsatisfactory apparatus. It consisted only of a magnetic needle floating in a vase or basin by means of two straws on a bit of cork supporting it on the surface of the water.

The compass used by the Arabians in the thirteenth century was an instrument of exactly the same description. Now, the inconvenience and inefficiency of such an apparatus are obvious. The agitation of the ocean and the tossing of the vessel might render it useless in a moment.

But Gioia placed the magnetized needle on a pivot, which permits it to turn to all sides with facility. Afterward it was attached to a card divided into thirty-two points, called rose de vents, and then the box containing it was suspended in such a manner that, however the vessel might be tossed, it would always remain horizontal.—Electrical Engineer.

Stung.

The old gentleman went into the parlor the other night at the witching hour of 10:30 and found the lights out and his daughter and a dear friend enjoying a tete-a-tete in a corner by the window.

"Evangeline," said the old man sternly, "this is scandalous!"

"Yes, papa," she answered sweetly. "It is candleless because times are hard. Lights cost so much Ferdinand and I said we would get along with the starlight."

And papa turned about in speechless amazement and tried to walk out of the room through a panel in the wall paper.—Exchange.

The Difference.

"Father," said little Rollo, "what is the difference between farming and agriculture?"

"Well, my son, for farming you need a plow and a harrow and a lot of other implements, and for agriculture all you need is a pencil and a piece of paper."—Washington Star.

The Mess in the Oven.

"How came such a greasy mess in the oven?" said a fidgety old spinster to her maid of all work.

"Why," replied the girl, "the candles fell into the water, and I put them into the oven to dry."—London Tatler.

Mildew.

An easy method of removing mildew is to place the article in a warm oven for a few moments and then brush it.

When you forget there are others you are nearing a burned bridge.

SCIENTIFIC MISCELLANY

Reported weekly for the Ledger.

Radium Sources—Chemical Ripening of Fruit—An Awaiting Material—Coal Mine in the Air—Luminous Pictures—Letter-Registering by Machine—New Radiation—Modern Pavement—Wind-Retarding by Towns.

So far the world's uranium and radium compounds have come chiefly from Joachimsthal, in Bohemia, but the mines of Cornwall, England, have now become an important source of supply. The two active mines at Joachimsthal belong to a Saxon company. The pitch blende or uranium oxide occurs in detached lumps—sometimes weighing several pounds—in the lodes, which range from one inch to ten feet in width, and number 17 extending east and west in the mica schist, with a like number crossing at right angles. Most of the ore is sold to the uranium works of the Austrian government. The uranium is extracted, and the residue is then worked over for radium salts in an adjacent laboratory. From a disused mine of the government has been taken water of the highestradioactivity of any yet found, leading to the expectation that Joanchimsthal will be come a radium watering place. In producing pitchblende the Cornish mines bid fair to equal or surpass those of Bohemia, but the ore is sent to Germany for treatment.

Knowing that the Arabs use vinegar to improve retarded dates, A. E. Vinson, of the Arizona Experiment Station, has tried spraying bunches of the green fruit with acetic acid for 12 or 15 hours, and in three days has produced perfect commercial dates of the best natural flavor. The process may be aided by sunshine or heat of 110 deg. F. It is anticipated that this process will be of much practical importance, as the dates can be shipped while green and hard, and ripened after reaching their destination. Other chemicals had a ripening effect, the flavor being impaired by some.

It is rather surprising to consider that only 8 or 9 elements are more abundant than titanium. Chemists of the United States Geological Survey find that it makes up about two-fifths of 1 per cent of the earth's crust, and exceeds in quantity all other heavy metals together expect iron. The proportion of iron is about 5 per cent. The bulk of the crust, it will be remembered, is nonmetallic, 50 per cent being oxygen and 25 per cent sillicon.

From the smoke pollution investigation that has been in progress for a number of years at Leeds, Eng., it appears that the solid impurities in the air at this industrial center are 20 times as great as three miles to the north east. The soot washed down by rain over four square miles in the industrial center averages 190 tons per square mile per year, or half a ton per sqaure mile per day, and a tone station reaches the rate of 300 tons per square mile per year. The waste in unburn fuel is represented by about 100 tons per square mile per year. The tar deposited with the soot has been estimated to be 24 times greater in town than 9 miles away, and has been shown to be 80 pounds per acre per annum in the center and only 14 pounds three miles to the northeast, although the proportion is higher in domestic smoke than in industrial smoke. The free acids—sulphuric and sulphurous—in the air at the center represent an annual deposit of 90 pounds per acre, or 25 or 30 tons per square mile. The solid impurities in the air often reduce daylight one-half, the tarry matter causes the soot to adhere to buildings and vegetation, the suplhurous acid makes town fog irritating when breathed and is very injurious to agriculture, and the chlorides—chiefly common salt—are sufficient in industrial centers to damage plants. The ammonia and other nitrogenous compounds in smoke, on the other hand, have some beneficial action as fertiliers and in neutralizing the acids.

Phosphorescent photographs have an image consisting of white calcium sulphide, which shines in the dark after being exposed to luminous rays. The process requires care, but a French authority states that there is no real difficulty. Into a moderately warm solution of one ounce of gelatine in 10 ounces of water 50 grains of potassium bichromate and 200 grains of phosphorescent calcium sulphide, are stirred. This solution is used to coat a film of plain celluloid, and after drying the plate thus prepared is exposed under a positive for abot the time needed for a carbon print. Warm water is the developer.

By the new German automatic machine, a letter is registered by pushing it through the slit and turning a hanudle. The machine stamps the envelope and prints off a receipt, which it throws out to the sender.

"Electro-activity" is the name given by M. Ramele, a French physicist, to a new radiation from nitrogen compounds that he has been studying for a considerable time. Nitrogen boride, which has a remarkable resistance to heat and chemical attack, was found to act on photographic paper after the very long exposure of one or two years, and the effect was exerted not only through photographic black paper, but through other opaque materials, like leather, rubber and opaque glass. The radiation is absorbed, however, by very thin leaves of metal. The electricity of flames, radium rays, the electric spark and friction all excite this kind of radiations, but the x-rays have no effect. Tested with an electrometer, no sign of radio-activity was shown. An electroscope, however, proved that electrified articles were emitted by nitrogen boride, and it was concluded that the radiation differs from radio-activity in being more completely due to electricity. Experiments with other substances indicate that "electro-activity" is peculiar to compounds containing nitrogen, uranium nitride being most energetic in its effects.

A novel French pavement consists of blocks made by filling molds, with matted iron shavings, or iron excelsior, and then pouring in cement sufficiently fluid to penetrate the entire mass. The blocks have great strength, resistance to abrasion, and elasticity under blows or jarring. Tests have shown a resistance to compression of 150,000 pounds per square inch, and a strength four times as great as that of ordinary cement. It is claimed that joints may be almost eliminated in this paving—an important advantage, as this takes away the parts of greatest wear and destruction.

The effect of buildings in lessening wind force is shown by Berlin records. In 1884 an anemometer was placed on a tower in the open country at a height of about 105 feet, and in 1903 this was surrounded by buildings about 75 feet high. The mean velocity of the wind, as shown by the instrument was reduced from about 18 feet per second in the five-year period of 1884-88 to 12 feet in 1899-1903.

Compensation for Injury.

Compensation for injury in the middle ages was in its infancy. The volume of the accounts of the lord high treasurer of Scotland, just published, tells incidentally of payments made to sufferers in the siege of Glasgow in 1544. To a carter who lost his horse $25 was paid, but $10.56 sufficed for a woman whose husband was killed, a like sum being given to the owners of two broken drums.

A Safe Rule.

"Is one apt to get bruised in learning to ride the bicycle?"

"Not if you make it a rule to stop when the bicycle stops."

"What do you mean?"

"Some riders keep on going."—Louisville Courier-Journal.

How to Make Oatmeal Cakes.

Three cupfuls boiling water, one cupful of oatmeal, one scant teaspoonful salt. Pour the water on the oatmeal, add the salt and cook three hours in double boiler. While still warm add one large tablespoonful of butter and one-half cupful of sugar. When cool add one-half cupful of yeast and flour to make stiff dough. Let it rise over night. In the morning bake in gem pans twenty minutes, or until brown.

Crushing.

Mrs. Newbride (with an air of triumph)—Really, I was greatly surprised to get a wedding present from the Van der Gilds. They are so exclusive, you know. Miss Jellus—Yes, but they are very charitable, I believe.

His Only Reason.

Mrs. Jawback (angrily)—Since you stayed out so late, why did you come home at all? Mr. Jawback (drowsily)—To sleep, m' dear—jusht to sleep—thatsh all!—Exchange.

Regulates the bowels, promotes easy natural movements, cures constipation—Doan's Regulets. Ask your druggist for them. 25 cents a box.

Baby won't suffer five minutes with croup if you apply Dr. Thomas' Eclectric Oil at once. It acts like magic.

Descendants of David.

The history of the Sassoons is one of the most dramatic in the very dramatic story of the Hebrew race. The original Sassoon was a Bombay merchant, but the family is descended from a group known as Ibn Shoshan, who at one time held the position of nossi of Toledo. The name Shoshan, which signifies "lily" in Hebrew, was gradually transformed into Sassoon, signifying "gladness." The family claim Davidic descent, and Abraham Sassoon, who flourished in the seventeenth century, stated that he was a direct descendant of Shephatiah, the fifth son of David. Not only are there many references to the name in Hebrew mediaeval literature, but mention of it is made in the Talmud.—London M. A. P.

Three Tightwads.

Speaking of tightwads, a Texas paper says: It is reported that three of the stingiest men in the state were in town yesterday. One of them will not drink as much water as he wants unless it is from another man's well. The second forbids any of his family from writing anything but a small hand, as it is a waste of ink to make large letters. The third stops his clock at night in order to save wear and tear on the machinery. All of them decline to take their county paper on the ground that it is a terrible strain on their spectacles to read newspapers even in the daytime.

Food Scarce.

"This circular describing the Mountingvue says you can sit at the dinner table and see the beautiful mountain peaks," said the man who contemplated going.

"That is true," replied the one who had been, "and that's just about all you can see."—Yonkers Statesman.

He Wouldn't Die.

Mrs. Peachblow—Why does your husband carry such a tremendous amount of life insurance when he's in such perfect health? Mrs. Flicker—Oh, just to tantalize me. Men are naturally cruel.

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THE INJUNCTION SUIT AGAINST DISPATCH

Full Text of Opinion of Court that Penry, sr., is not Interested in City Printing Contract.

Richard Webb, plaintiff, vf. C. L. Culbert, as treasurer of the city of Jackson, defendant.

This is a proceeding inaugurated by Richard Webb, as a taxpayer of the city of Jackson, to enjoin the defendant, who is treasurer of said city, from paying the claim of the Amador Dispatch, for certain printing done and supplies furnished such city, the claim for which has been duly audited and allowed by the board of trustees, and a warrant therefor drawn upon the defendant treasurer.

The said printing was done and the supplies furnished under and pursuant to a contract awarded by the board of trustees on March 4, 1909, to furnish such printing and supplies and after competitive bidding, at which William Penry Jr., was declared to be the lowest bidder.

It is claimed by plaintiff that such contract is illegal and void upon four grounds:

1. That at the same time said contract was awarded and said supplies furnished William Penry Sr. was a member of the board of trustees of such city, and was the owner and proprietor of the printing office plant and premises in which said printing was done.

2. That said contract was entered into by and in the name of William Penry Jr. for the express purpose of evading the law, which forbids an official of the municipality from being interested in any contract with it.

3. That at the time said contract was awarded and said printing and supplies furnished said William Penry Sr., was the proprietor and publisher of said Amador Dispatch.

4. That at the time said contract was awarded and said printing and supplies furnished said William Penry Sr. was an employe of said William Penry Jr. at said printing office.

It has been the settled law of this state ever since Berka and Woodward 125 Cal. 119, that no recovery can be had upon a contract, either express or implied' with a municipality when any official thereof is interested in such contract. And by Sec. 71 of the Penal Code any violation of this law by such official is punishable by a fine of not more than one thousand dollars or by imprisonment in the state prison not more than five years, and is forever disqualified from holding any office in this state.

In order to establish the allegations of his complaint plaintiff produced as witnesses in his own behalf William Penry Sr. and William Penry Jr., and it is upon their testimony that this case is cast. The testimony of these witnesses at the trial in brief was: That William Penry Sr. for many years past had been the owner of the printing office and plant and upper story of the building where the supplies that form the subject of this controversy were printed; that since Jan. 5, 1906, the office, plant and building have peen rented by him to William Penry Jr. for a fixed, definite anp certain rental, payable monthly and not dependent or subject to any condition whatever, and that since that time William Penry Jr. has been the sole proprietor and manager of the Amador Dispatch, and is entitled to, and has received all the earnings and profits and is the sole manager of the business; that said lease and agreement made between Penry Sr. and Penry Jr. was not made for the purpose of evading the law prohibiting a city official from being interested in a contract with the city; that William Penry Sr. has not been the proprietor of the paper or manager of the printing business since Oct. or Nov. 1895, when he made a contract of sale of the paper and plant to Mr. Rust, except during a period of about two months in the latter part of 1905, when on account of Mr. Rust's inability to make the payments on the contract Penry Sr. asumed the management of the paper and plant until he leased it to Penry Jr. as aforesaid; that Penry Sr. has been employed since Jan. 1906, by Penry Jr. in doing the binding, numbering and stitching books, and also the press work on Fridays, at a fixed and definite salary not dependent upon commissions or pro rata and not varied since his employment; that he in not interested to the value of a cent in either the contract with the city or the claim for supplies furnished upon which the warrant was issued upon the city treasurer, nor did he have any knowledge that Penry Jr. intended to present a bid for the city printing until it was opened at the meeting of the trustees.

It may further be said that while there is no testimony as to the age of Penry Sr., yet as he was a witness upon the stand the court may for the purpose of considering the probability of his having in good faith retired from the management of the business and entered into the contract with Penry Jr. as outlined by him, also take into consideration that he (Penry Sr) has long since passed the meridian of life and that no suspicion can be therefore attached to his retirement from such active management of business.

It will be readily observed that the foregoing testimony of the witnesses and not denied, the greater portion of which was given by them as witnesses for the plaintiff, is a complete refutation of all of the grounds of invalidity urged against the contraat except the specifications: 1.— That William Penry Sr. is the owner of the printing office, plant and building, and 2:— That Penry Sr. is an employee of William Penry Jr.

In other words the only legal question involved here is: Is a contract entered into by an individual with a city necessarily void because such individual is the tenant or employer of a city official? or to state the question otherwise: Is a city official from the mere fact alone that he is the landlord or employee of a contractor of the city interested indirectly in the contract with the city within the meaning of the statute? If such is the law then a tenant of the house of the city clerk can not lawfully supply the city with a bottle of ink, or the merchant who employs a trustee to post his books in the evening can not recover for a box of pens delivered to the city.

No case has been found in California or elsewhere where the precise question here involved has been raised. While it is true that in 28 Cyclopedia of Law and Procedure the rule is stated "that an official being an employee renders invalid a contract between the city and his employer," the only case there cited in support of the text, in Foster vs. Cape May 56 N. J. L. 78, but it will be fonnd upon, examinatiou that no such a question was involved in that case, and the rule stated in Cyclopedia of Law and Procedure is not therefor an authority.

As throwing more or less light upon this question as to what is the meaning of the words "interested indirectly" in this statute which provides that no officer of a city shall be interested directly or indirectly in a contract with the city, reference may be had to the law which prohibits a judge from acting in any case in which he is interested.

The supreme court of this state in Myer vs. city of San Diego 121 Cal page 102 in discussing what interest would disqualify a judge, quoted with approval the following langauge from Northampton vs Smith 11 Met 390:

"We think it is not to be a mere possible contingent interest but one that is visible, demonstrable, and capable of precise proof. * * * It must be a pecuniary or proprietory interest * * * * * by which he will gain or lose something by the result of the proceeding, * * * * It must be certain, and not merely possible or contingent."

Tested by the foregoing rules it is evident that William Penry sr. has no such interest in the contract made between the city and William Penry jr.

What was said in Meyer vs. city of San Diego Supra to the effect that the interest of the official must be one that is visible, demonstrable and capable of precise proof, is peculiarly applicable to the case at bar, and conditions may be exactly imagined, which if inserted in the agreement made between Penry sr. and Penry jr. would have made the contract of the latter with the city invalid.

Thus if the lease of the premises or printing plant should continue only in the event that Penry jr. secured the printing contract with the city; or if the monthly rental of such premises should be less if the printing contract was awarded to some one other than Penry; or if the rental was to be increased if the city printing amounted to a certain sum; so if Penry sr. was to be employed only in the event of Penry jr, being awarded the contract for city printing; for in the event only that such printing amounted to a certain sum; or if his salary was to be augmented or decreased according to the amount of business done by Penry jr.; in any of these conditions or in any one of many other coniditions that might be suggested there would be an interest on the part of Penry sr. that would be visible, demonstrable and capable of precise proof, but such proof is entirely lacking in this case, and in the absence of any such proof it would appear that there is no showing in the case that William Penry sr. was directly or indirectly interested in the contract with the city, or would profit to the value of a cent whether it was awarded or refused.

Furthermore in the absence of any decision holding that contractual relations like those existing between Penry sr. and Penry jr. renders invalid a contract between the city and Penry jr. a trial court should require something more than the ambiguous language of a statute to base a decision that Penry sr. is indirectly interested in the contract, and thereby inferentially declare that he has violated the ciminal laws of the state.

For the failure of plaintiff to establish that William Penry sr. has any interest in the printing contract with the city that is either visible, or demonstrable or contingent, or possible or definable or measurable, or that he could have in any manner gained or lost anything by reason of such contract, I am of the opinion that the relief prayed for in this action should be denied and that the temporary injunction granted upon the filing of the complaint should be dissolved. Defendant will submit findings in accordance with this opinion.

Dated November 10, 1909.

Fred V. Wood, Judge.

Origin of Seals.

The origin of seals is lost in the shades of antiquity. In Assyrian and Babylonian ruins seals still are found, and it is certain that their use passed from those countries to Greece and Rome, to all European countries and from England to America. Originally they were set in rings. The earliest references to them in Biblical history is found in Genesis xxxviii, where it is recorded that, pending certain negotiations between Judah and Tamar, the widow of his son, Tamar demanded a pledge and Judah gave her his signet and other belongings. And when Ahab, king of Israel, tried to buy Naboth's vineyard and couldn't his wife Jezebel "wrote letters in Ahab's name and sealed them with his seal." In the Book of Esther, chapter viii, it is written that King Ahasuerus said to Esther and Mordecai, "Write ye also for the Jews, as it liketh you, in the king's name and seal it with the king's ring, for the writing which is written in the king's name and sealed with his ring may no man reverse."

Seals doubtless were used long before the stirring events described in the quoted chapter of Genesis, but no one took the trouble to write about them. From the time of Jeremiah to William the Conqueror the pen was practically unknown to king, noble or peasant, so the seal was absolutely necessary.—Kansas City Star.

The Lure of Money.

James R. Keene, who won and lost fortunes and who played with millions of dollars as a child would play with a heap of sand, was once asked why, having wealth to satiety, he did not give up the game of money grabbing and seek peace, comfort and contentment.

The answer vouchsafed by Keene may be regarded as that which would be offered by many another man if the same question were put to him.

"Why do I want more money?" said Keene. "Why does a dog want another rabbit? Your dog will chase the millionth rabbit as though it were the first he had ever seen. He will strive and strain in the pursuit of it to the point of heartbreak. One might suppose his soul's life depended on the capture. And yet, should he overtake it, he will cast it aside when killed and begin quartering the ground to start another. To the last gasp of his breath that dog will chase his rabbit. When you tell me why that dog wants another rabbit I'll tell you why I want more money."—Harry Furniss in Strand Magazine.

How Animals Learn.

Dr. T. Zell, a German naturalist, has collected many instances to prove that animals learn by experience and thus become wiser than their uninstructed parents. Game animals of all kinds, he avers, have learned the range of modern rifles. Greyhounds quickly learn to let rabbits alone, and foxhounds pay no attention to either rabbits or hares. Killer whales and gulls follow whaling vessels, just as vultures follow an army. Crows begin to accompany the chamois hunter as soon as they have seen the result of his first successful shot, and rough legged buzzards follow the sportsman after winged game. The number of birds that kill or injure themselves by flying against telegraph wires is much smaller than it used to be. Dr. Zell also refers to the fact that birds and quadrupeds have learned to disregard passing railway trains, as horses quickly cease to be frightened by automobiles. His instances of the intelligent election exercised by sheep dogs are familiar to all.

A Prompt Reply.

A temperance lecturer was describing to his audience how his life had been influenced by total abstinence.

"You know," he said, "that I am now head of my business. Four years ago there were two men in our office who held positions above mine. One was dismissed through drunkenness, the other was led into crime and is now in prison, and all through that evil drink, the invention of the wicked! Now, what I ask is," he cried, "what has raised me to my present high position?"

"Drink!" was the unexpected reply he received from a member of his audience.

Cleanliness Extra.

In describing his arrival at the town of Cuantla the author of "Mexican Trails" says: "The first thing to attract my eye was 'Grand Banos,' which in English means 'grand baths.' Now, after a day's ride a man craves a 'grand bano' more than all else, so I left the horse and entered. A large placard on the wall bore the following:

"'A tub of water, 13 cents; with towel, 18 cents. The person who desires to change the water will pay 10 cents extra.'"

Women In Sweden.

It is to the honor of Swedes that the fact of a woman working for her living in no way lowers her social position. Many professional ladies are the daughters of court officials and are received and welcomed in the court circle.—London Queen.

A Gentleman of Leisure.

Codling—Why did you speak to that old twamp, dear boy? Softy—Why shouldn't I, old chappie? He isn't in twade, and he doesn't work faw a living.—Exchange.

Easily Controlled.

Mrs. Bacon—I wish my husband would go wherever I want him to. Mrs. Egbert—Why don't you get one of those dirigible husbands?—Yonkers Statesman.

Vainglory blossoms, but never bears.—French Proverb.

Kennedy's Laxative Cough Syrup not only heals irritation and allays inflammation, thereby stopping the cough, but it moves the bowels gently and in that way drives the cold from the system. Contains no opiates. It is pleasant to take, and children especially like the taste, so nearly like ample sugar. Sold by City Pharmacy, F. W. Ruhser.

Unclaimed Letters.

F. Bejain, Fellice Benedetti, Flossie Kilgore, (2) Simo A. Pojuzina, Gjuro Stijepoevich, Markis Mikedey, (paper), C. Zokon, (paper).

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Order to Show Cause on Application of Guardian to Sell Real Estate.

In the superior court of the county of Amador, state of California.

In the matter of the estate and guardianship of Robert Upton and Rueben Upton, minors.

On reading and filing the petition of R. T. Upton, the guardian of the estates of Robert Upton and Rueben Upton, minors, praying for an order of sale of certain real estate belonging to his said wards for the uses and purposes therein set forth;

It is hereby ordered, that the next of kin of the said ward and all persons interested in the said estate, appear before this court on Saturday, the 18th day of December, 1909, at 10 o'clock A. M., at the court room of this court, at the city of Jackson, in the county of Amador, then and there to show cause why an order should not be granted for the sale of such estate:

And it is further ordered, that a copy of this order be published at least four successive weeks before the said day of hearing, in the Amador Ledger, a newspaper printed and published in said county of Amador.

Dated November 11, 1909.

FRED V. WOOD.
Judge.

no12-5t

Order to Show Cause Why Order of Sale of Real Estate and all the Property of the Estate should not be Sold.

In The Superior Court of the County of Amador, State of California.

In the matter of the estate of F. M. Whitmore, deceased.

W. R. Webster, and Alfonso Ginocchio, executors of the last will and testament of F. W. Whitmore, deceased, having filed their petition herein praying for an order of sale of the whole of the real estate of said decedent, or any portion thereof, and all of the property of said estate of every character, for the purposes and reasons therein set forth,

It is ordered by said court, that all persons interested in the estate of said deceased appear before said superior court on Monday, the 15th of November, 1909, at ten o'clock in the forenoon of said day, at the court room of said court, at the court house, in the city of Jackson, in said county of Amador, to show cause why an order of sale should not be granted to said executors, to sell the whole of the real estate of said decedent, or any portion thereof, and all of the property of said estate of every character, as shall be necessary, or for the advantage, benefit and best interests of the estate, and those interested therein, at public or private sale, as said executors shall judge to be most beneficial for the estate; and that a copy of this order be published at least four successive weeks in the Amador Ledger, a weekly newspaper of general circulation published in said county of Amador.

Dated, the 11th day of October, 1909.

FRED V. WOOD, Judge.

John F. Davis, Attorney for Executors.

oc. 15-5

Notice for Publication—0200

Department of the Interior,
U. S. Land Office at Sacramento, Calif.,
Oct. 9, 1909.

Notice is hereby given that Thomas E. Porteous, of West Point, Calif., who on May 2, 1907, made H. E. No. 8191, for lots 3, 4, and 5, and SE¼ of NW¼ Section 6, Township 6 N., Range 14 E., Mount Diablo meridian, has filed notice of intention to make Final Commutation proof, to establish claim to the land above described, before the Superior Judge of Calaveras county, at his office in San Andreas, Calif., on the 20th day of November, 1909.

Claimant names as witnesses: Charles R. Lunt, and Martin C. Bygum, of West Point, Calif., Samuel C. Folsom and Robert E. Gallagher, of Fosteria, Calif.

JOHN F. ARMSTRONG,
Register.

oct15-6w

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